February 25, 2019

TRANSPORTATION COMMITTEE  10:30 A.M.
PUBLIC HEARING

CHAIRPERSON:  Senator Carlo Leone
Representative Roland Lemar

SENATORS:  Bergstein, Martin, Haskell, Needleman, Osten, Kissel, Hwang,

REPRESENTATIVES:  Reyes, Devlin, Altobello, Concepcion, Conley, Hall, Lopes, McCarthy-Vahey, Morin, Perone, Rosario, Simms, Steinberg, Ziegas, O'Dea, Carney, Haines, Kupchick, Lavielle, MacLachlan, McGorty, Zawistowski

REP. LEMAR (96TH):  Good morning, everyone. The Transportation Committee Public Hearing will commence. As you may see, there are a few members still not here. They are either on their way or they may be in and out of other committees so don't feel short-changed, they will be arriving and for anyone who can't make it, your written testimony and public testimony will be part of the record for them to follow up at a later date.

So just take note of that. We are getting very close to a full room so we need to ask everyone to come in and shut the door. We will be working on an overflow room. As soon as we get one we will let the public know. So please make sure that everyone comes in and grabs a seat.
If there is any emergency, just follow the directions by capitol police. Exit the two doors that you just came in on and you'll be able to exit around the corner. So just listen to any public notification if such a situation does arise.

So before we start, I'd like to give my co-chairs and rankings a chance for any comments.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. Again, just for the purposes of safety, the two doors behind you from which you entered and the door behind this committee room are available in case of emergency.

We have structured this morning's public hearing to provide the maximum amount of input that the committee can receive. Also making it a little bit easier for the general public as a whole to have their voice heard.

So there are a few issues that we expect to be particularly controversial this morning. We know a lot of folks have come here to testify upon them. We've interacted with a number of people before this meeting and we've -- we think we've structured it so that everyone can have their voice heard, submit their testimony, identify three, four leaders, group leaders, who can make the most salient solid point they possibly can and we can engage with them as a committee. And after that, folks are welcome to stay if they want but we already have your testimony, you do not need to stay the whole ten, 12, 14 hours to be heard if you do not wish to.
So with that being said, moving onto my ranking member, do you have anything? Senator Martin? No? With that we'll start our public hearing process.

And first up today is Anna Barry who is the Deputy Commissioner of the Department of Transportation.

ANNA BARRY: Good morning, Chairmans Lemar and Leone, ranking members Devlin and Martin. My name is Anna Barry and I'm Deputy Commissioner of the Connecticut Department of Transportation. Commissioner Joseph Guilietti wanted to be here, however, he's with the Governor at a function in Waterbury.

DOT is testifying today in favor of House Bill 7140. We thank the committee for raising several department proposals.

Section one of the bill would require all passengers in the vehicle, including those in the rear seat to wear seatbelts. Current law only requires the drive and front seat passengers to wear seat belts. At this time, 29 states have laws requiring seat belt use in all seating positions.

Forty-eight percent of people killed in motor vehicle crashes were not wearing seatbelts and the Institute for Highway Safety found unbuckled rear seat passengers are eight times more likely to be injured or killed.

We urge the committee to enact this provision. The single most effective way to reduce death and injury caused by motor vehicle crash is the use of a seatbelt. Applying this law to all passengers would save lives.
Section 3-A of the bill requires all motorcyclists and passengers to wear a helmet. Motorcycle crashes are a major source of fatalities in Connecticut and currently only male motorcyclists under the age of 18 are required to wear helmets.

Motorcyclists are at much higher risk of death and injury than passenger care occupants. Fifty-seven motorcycle riders were killed on Connecticut roads. They were 20 percent of all fatalities and 58 percent of the riders killed in a crash were un-helmeted.

Helmets are proven an effective way for reducing fatalities and traumatic brain injuries. Currently 19 states have universal helmet laws including our neighbors of New York, Massachusetts and Vermont. You will hear from any experts on this subject over the course of the morning so I'm not going to pile on more statistics but the department strongly urges favorable consideration of this provision which will save lives and reduce traumatic brain injuries.

Section four of the bill, the department seeks a streamlined administration operation of the current Operation Lifesaver program to better align our activities with the Federal Railroad Administration's National Operation Lifesaver Organization.

In section five of the bill, the department seeks approval for DOT maintenance vehicles to use amber and green flashing lights. Currently the law allows us only to use amber. Studies nationwide have shown that motorists often do not modify their driving behavior when they see a single color light. A
number of states are changing to multicolored lights for their state maintenance vehicles.

Statistics have shown a 50 percent reduction in accidents when using a multicolored warning light system.

Finally, section six of the bill revolves around sleep provision from the department's oversize/overweight statutes. I'm here with several members of the department staff and we are happy to answer any questions that you may have.

Thank you.

SENATOR LEONE (27TH): Are there any questions for the Deputy Commissioner? I'm sure there'll be some coming up -- well, let me ask you one, Deputy Commissioner. You mentioned about the amber and green flashing lights. One of the concerns is that each and every year many different folks ask for lighting for their particular purposes. So there's always the fear of different color light conflagration, so to speak.

So how -- how's the proof that -- or how has it been determined that multiple colors makes a difference? Because then it would make sense to me that other people will be asking for more versions of different colored lights and then everyone will be confused as to who is what.

ANNA BARRY: Well, other states have conducted studies and analyses of their implementation of this and they've demonstrated a reduction in accidents. And we think, you know, we as the State Department of Transportation have, you know, more than --
almost a thousand vehicles of various types on the roads with performing critical activities on behalf of the state.

And if you have to prioritize these types of actions, we think that the Department of Transportation is one that's got a pervasive presence and certainly a critical function to perform.

You know, others may, you know but others have sirens who have other -- the state police have theirs. We have as big a presence if not bigger than any of these around the state and we would say that it's a high priority. Others would have to be judged according to what they're presenting and the data that they've presented but we have information from other state DOTs that show measurable benefit from implementing this system.

SENATOR LEONE (27TH): And currently you do have amber lights, correct?

ANNA BARRY: That's right.

SENATOR LEONE (27TH): And what would be the cost or how -- what would be the cost to set up an additional light structure? I mean I would -- they'd have to go out and purchase a whole new setup.

ANNA BARRY: Our plan is to implement as we -- as we acquire new vehicles and equipment so it would come with the -- it would be really no -- or if only a nominal increase. We would be getting the same number of lights, just two different colors at the same time as we purchase new vehicles so we're not
going to retrofit, we're going to move forward as we purchase new fleets.

SENATOR LEONE (27TH): Okay, thank you. We'll take all that into consideration. Any other questions? Mr. Chairman.

REP. LEMAR (96TH): Thank you. Thank you for your testimony today, Deputy Commissioner.

ANNA BARRY: You're welcome.

REP. LEMAR (96TH): With relationship to the proposed motorcycle law, is it true that we have restrictions on some of our funding expenditures based upon the fact that we are not compliant with National Safety and Traffic Standards?

ANNA BARRY: I don't think that's the case, is that?

UNKNOWN: No, there's currently no funding restrictions.

ANNA BARRY: It's another area, I think it's open container that we have a restriction.

REP. LEMAR (96TH): That's fine.

ANNA BARRY: So there's no federal highway restrictions.

UNKNOWN: No.

ANNA BARRY: No, it's open container where the restrictions exist.

REP. LEMAR (96TH): And you, I think reference the other states in your testimony around us who have universal helmet laws. That's Massachusetts, New York and New Jersey.
ANNA BARRY: I didn't list New Jersey, they may be one of the -- Vermont, Massachusetts and New York are the ones I listed. I can give you the entire list of 19 if you like.

REP. LEMAR (96TH): I think someone else has also provided that information as well, I just wanted to clarify. Thank you again for your testimony today.

ANNA BARRY: You're welcome.

SENATOR LEONE (27TH): Thank you, any other questions? If not, thank you.

ANNA BARRY: Welcome.

SENATOR LEONE (27TH): Next up is Jennifer Homendy from the NTSB. And welcome, I know you just came in from DC so we are grateful for your appearance here before us.

JENNIFER HOMENDY: Good morning, Chairman Leone and Chairman Lemar, ranking members Devlin and Martin and members of the committee.

My name is Jennifer Homendy and I'm a Board Member with the National Transportation Safety Board. I'm honored to appear before you today not only as a member of the NTSB but as a native of Plainville, Connecticut.

The NTSB is an independent federal agency charged by Congress with investigating accidents in all modes of transportation to determine their probable cause and make recommendations to improve safety, prevent future tragedies and injuries and save lives.

Motor vehicle crashes are responsible for more deaths in the United States than in all other modes
of transportation combined with more than 37,000 lives lost annually on our nation's roads, 293 of which occurred in the state of Connecticut in 2016.

The NTSB believes the safety provisions included in H.B. 7140, if enacted, would reduce this toll and save lives.

First, the bill requires all motorcyclists and passengers to wear helmets that comply with federal motor vehicle safety standards. Connecticut is among 28 states that require some but not all motorcyclists to wear a helmet. Nineteen states and the District of Columbia require that all motorcyclists wear a helmet, a requirement known as the Universal Helmet Law.

The NTSB is a strong advocate for Universal Helmet Laws. We believe that all states should require all motorcycle operators and passengers to wear helmets that meet or exceed federal safety standards.

According to the National Highway Traffic Safety Administration or NHTSA, in 2016, more than 5200 motorcyclists were killed in traffic crashes. That's double the number of fatalities reported 20 years ago.

In 2016, 52 motorcyclists died in crashes in Connecticut or one every week. Nearly three-quarters of them weren't wearing helmets. Some might argue that we should first and foremost find ways to prevent crashes. The NTSB has issued numerous safety recommendations to accomplish that such as requiring all new motorcyclists to be equipped with a stability control system and antilock braking system technology.
But our focus on safety doesn't and shouldn't end there. We must also implement measures that save lives and prevent injuries once a crash occurs. We know from our investigations that the single greatest defense against death and injury is the use of effective safety equipment. Helmets. Seatbelts. Car seats. Booster seats to name a few.

And we know that lives are saved when states require the universal use of helmets. After Louisiana reinstated its Universal Helmet Law in 2004, helmet use doubled from 42 to 87 percent in the first year. According to NHTSA, this increase also led to significantly fewer fatalities and severe injuries.

Similarly, when helmet use declines, there have been dramatic increases in the number of deaths and injuries. The state of Florida, for example, repealed its helmet law 19 years ago. Since then, helmet use has decreased 47 percent while motorcycle deaths have increased by about 50 percent and the number of serious brain injuries has doubled.

Like helmets, we know that seatbelts also save lives. According to NHTSA, 169 vehicle occupants died in traffic crashes in Connecticut in 2016. Almost half of those occupants weren't wearing seatbelts. Had everyone used a seatbelt, occupants -- rear occupants included, an additional 18 lives would have been saved.

Seatbelts are the number one defense against motor vehicle deaths and injuries. Connecticut has been a leader on seatbelt use for many years since the enactment of its primary enforcement law in 1986 but that law only applies to the front seat. Since
2015, the NTSB has strongly recommended a comprehensive primary enforcement seatbelt law that covers all vehicle occupants in all seating positions as provided for in H.B. 7140.

In closing, I applaud the state and this committee for your leadership on these issues and for your thoughtful consideration of the bill.

We believe it is one of the most important measures that you will consider this year and we encourage swift enactment and implementation.

Thank you again for providing me with the opportunity to testify today. I have submitted a lengthier written statement to the committee and I respectfully request that it be included in the hearing record.

Happy to answer any questions you might have.

SENATOR LEONE (27TH): Thank you, Ms. Homendy and welcome back to Connecticut. It's always nice to --

JENNIFER HOMENDY: Thank you.

SENATOR LEONE (27TH): -- have someone return. Thank you for your testimony, your written testimony and comments will be in the public record. A couple of members were reviewing it as we speak, pretty in depth, so we appreciate it.

And in terms of the motorcycle helmets, so it seems to be considerable lifesaving opportunities for those that do use the helmet. Have you come across some of the reasons why there would be folks against helmets? What would be something that would offer a
different point of view on that from NTSB's point of view, if any?

JENNIFER HOMENDY: I mean over the years we have heard from the community but I have to say, you know, the NTSB's role is investigation transportation accidents. And after a transportation accident, it's the board's -- it's the board members' responsibility that when we're on the scene of an accident, we're not just the spokespeople for the press. We are meeting with the families afterwards.

And the -- the discussions I hear from the community are not the discussions I hear from the families after an accident. They are focused on their losses and that is where my job comes in. My job is to speak for those who cannot, who no longer have a voice.

And so as we approach this issue, we know that head injuries, particularly blunt-force trauma, is the leading cause of fatalities and injuries in motorcycle crashes. And from our view, a simple solution is to wear a helmet that meets federal safety standards.

SENATOR LEONE (27TH): Thank you and we had a brief conversation earlier and so it was very helpful for me. So maybe if you could just quickly explain for the committee, I mean the NTSB can't be everywhere, unfortunately, so what would -- what would actually bring you to the state to do an investigation? I know you have limited manpower. I know you are backed up because of the federal shutdown, we're now
back online. So thankfully so. And I know there's a lot of work to be done out there.

But in terms of providing your expertise because obviously you can't be there on the scene, that probably comes after the fact, what would constitute or how would you then get involved? What's the process for -- from say from an accident to an NTSB participation?

JENNIFER HOMENDY: Well, by law the NTSB is required by Congress to investigate all civil aviation accidents. So we do investigate all aviation accidents in the United States and we participate in international accidents as well where it involves, say a United -- a US manufacturer of airplanes or parts of an airplane such as an engine.

Outside of aviation, we also investigate rail accidents, pipeline ruptures, transit accidents, other highway accidents like motor coaches. Since 1982 we've investigated 15 motorcycle crashes and we have a pretty active investigation going on right now of a motorcycle -- a severe motorcycle crash in Augusta, Maine.

And there are different standards depend -- we also do marine safety and commercial space. So there are different standards for when an accident occurs. The notification comes to our Response Operation Center and then comes to the board and some -- some accidents are staff launches. For example, we had 1800 aviation, general aviation accidents last year which is pretty significant.

And others -- the board members will go out and assist. So and a lot of that is usually they're
major accidents and we wanna give the time for the investigators in charge to really focus on the accident so we can be the spokesman at the same time.

SENATOR LEONE (27TH): Thank you for that slight education, it's very helpful for the committee. I know we, as Chairs, I think members of the board may get it but we do get NTSB reports and when I've looked through them, they're pretty thorough. And sometimes enlightening and eye-opening, too. It gives us some pause for what we need to do.

So I appreciate you taking the time to come all the way down here, provide your expertise. I guess it's probably good not to see you in terms because then it's not an accident but nonetheless, we are appreciative of your efforts and the organization as well because sometimes these — especially for aircraft, being an Air Force Veteran, those things can take months to really dive into what happened and then when you realize what the cause is and the fixes can save lives for down the road, it really is a lifesaving thing that you do so I do appreciate that.

So with that, let me open it up to some questions. Mr. Chairman.

REP. LEMAR (96TH): Thank you. And thank you again for joining us and coming in for today's hearing. It is really appreciated to have your perspective in a national scope that you provide on this issue.

After you're doing later on this morning into the early afternoon, we'll have advocates on either side of this issue aligning their thoughts on the
importance of universal helmet laws or not having universal helmet laws.

And so while that can be a very specific to Connecticut question amongst a lot of our residents, your ability to look nationally at different examples from other states that you have included in your testimony is really beneficial to us. You've provided results from Texas, Kentucky, Louisiana, Florida and Michigan where you analyzed accident data with helmet and non-helmet use. The result in increases and fatalities based upon those states going from universal helmet law to less than a universal helmet law and I think it's the sort of evidence that we sometimes don't see or hear when we only have our local folks testifying.

So you providing the national level of insight is really helpful to our convened legislative process.

So I don't know if you want to expand on any of those specific examples that you indicate in your testimony.

JENNIFER HOMENDY: Thank you, can I -- and can I add one thing? You were asking about states with universal helmet laws. The local -- or states surrounding Connecticut and I would just add that New Jersey, New York, in the area -- Maryland, Massachusetts, Vermont -- they all have universal helmet laws, too.

REP. LEMAR (96TH): Thank you.

SENATOR LEONE (27TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you for being here today and for your
testimony. In reviewing what you have submitted and talking about the various states that -- it sounds like they have had universal helmet laws and repealed universal helmet laws.

Can you speak to why certain states made the decision to repeal those laws?

JENNIFER HOMENDY: In the 70's there were actually 47 states that had universal helmet laws and at the time, they had laws because they were tied to federal funding at the time. And you know, over the course of years there have been states that have had repealed laws and I'm not familiar with why certain states made that choice. It's something that we're frankly disappointed with.

But I will tell you, when it comes to universal helmet laws, one thing we have seen as states with the laws see 92 to 100 percent helmet -- helmet usage rates. States without laws, it's about half that, 42 percent motorcyclists and passengers are wearing helmets.

And as you mentioned with our written testimony, what we're seeing is the states that have an active mandatory universal helmet laws were seeing decreases in traffic crashes, decreases in fatalities, decreases in injuries. But where we see that they've repealed them, those numbers have gone up.

REP. DEVLIN (134TH): Okay. This may not be a fair question for you but I'll ask it anyway. In speaking to some of the folks that are here advocating against this proposal, it sounds like one of the big reasons is the experience. So the, you
know, wind streaming through your hair or the sunshine on your head, whatever it might be.

And while we are talking in certain cases, a life or death situation, it is a personal choice situation. So your thoughts on perhaps education and providing -- I don't know if there are insurance incentives for individuals to choose to wear a helmet or not -- but it's sort of like things we see, I don't know, if you eat a lot of fast food or drink a lot of sugary drinks, those aren't good for you either.

So your point of view in terms of, I guess, a government role or not a government role in this instance.

JENNIFER HOMENDY: I think with a number of pieces of safety equipment over the years whether it's helmets, seat belts, booster seats, car seats -- we've had to take measure to mandate them or to encourage states to mandate them and we've seen then more usage and a reduction in fatalities and injuries.

I have heard the arguments from others about, you know, wind in the hair and things. I understand them but, you know, our focus as the NTSB is individual lives and saving lives, preventing injuries, preventing fatalities. And when I look at numbers like in 2016 there were 5,286 motorcycle crashes which have doubled in the past 20 years, that concerns me.

And with Connecticut, you know, you have 52 deaths in 2016 and three-quarters of those riders were not wearing helmets.
So for me as a safety professional, that's where my concern comes in.

REP. DEVLIN (134TH): Right, thank you. Thank you, Mr. Chairman.

SENATOR LEONE (27TH): Thank you. Representative Perone.

REP. PERONE (137TH): Thank you, Mr. Chair and thank you very much for your testimony. Just how many air crashes did you say?

JENNIFER HOMENDY: Well, last year for general aviation, we had 1800.

REP. PERONE (137TH): Non-weather related?

JENNIFER HOMENDY: Various -- various -- it really runs the gamut on causes. And that's general aviation, not -- not big commercial.

REP. PERONE (137TH): Sure limits that helmets to just motorcycles. [Laughter and applause]

JENNIFER HOMENDY: I'm really glad we have the numbers.

SENATOR LEONE (27TH): Hold on. Hold on. I know we're gonna have some compassionate testimony. Please, no applause in the sense that we just don't wanna sway anyone's point of view or give any lesser importance to anyone's point of view.

So even though it's appreciated when we make a little side comment, try not to disrupt the testimony. Thank you.
JENNIFER HOMENDY: I will add we've issued a number of safety recommendations on aviation as well which I'm happy to provide.

REP. PERONE (137TH): Okay well thank you very much for that and I didn't mean to cause a disruption. I will say that I was actually thinking more along lines of some matters are due -- how do insurance carriers handle this sort of thing? Do they offer incentives for people who wear helmets in states where there are no helmet laws or limited helmet laws?

JENNIFER HOMENDY: I'm sorry, I don't have the answer to that question. I think you'll have some people at a later panel that they might be able to answer.

REP. PERONE (137TH): Okay, thank you. And one last questions, you know, looking at it in terms of demographics it's clear that there's a disproportionately higher number of fatalities in the age group of 20 to 24. And I'm wondering if states have instituted helmet laws -- because Connecticut offer -- has a helmet law 17, you know, if you're 17 and under, you have to wear it, helmet law. Or a helmet, rather.

So is there any -- are there laws that focus on say, focus on the age of say 25 as a, you know, 25 and under to try to take -- try to improve the safety outcomes for that demographic.

JENNIFER HOMENDY: I know that there are 28 states with helmet laws where they focus on different age groups. I don't know which age groups on those. I
do have that information, I'm happy to provide that to you for the hearing record.

REP. PERONE (137TH): Okay, thank you very much.

SENATOR LEONE (27TH): Thank you, Representative.

SENATOR HWANG (28TH): Thank you, Mr. Chair and I wanna follow along that line. In the states that had repealed it, are there any of them that have an age restriction up to age 21 that you would have to have it and -- and then in the independent choice after age 21? Through you, Mr. Chairman.

JENNIFER HOMENDY: Again, I would have to look at the specific ages in each of those states and I don't have that information but again, happy to provide that information.

SENATOR HWANG (28TH): Because I think that's -- that's an important part of this dialog is for individuals that are over 21, ultimately your data is gonna be quite clear in preventing safety.

But ultimately, for someone that I think 21 and over, it's their independent choice. Where do we get to a point where we start saying, "We know what's better for you and the data prevents it -- presents it -- and you should do it because we know what's better for you."

I think that's the crux of the debate that I have. If you're age 21 and we'll want to protect younger people that may not be able to make that decision as we do with certain age limits. But for people over 21, where -- where does that come on the side -- and I understand your goal but there are so many other
vices that we have that we say ultimately it's your decision. Where do we come and impose that on individuals to make their end of the choice.

Because ultimately, I -- I perhaps may even agree with you that it would prevent tragic accidents but ultimately isn't that the individuals' choice? I ask that question. So if you could maybe extrapolate a little bit on some of the rationale as to why would we impose that.

Because, as you saw, when this bill was originally put in, when you said 47 states did that, we tied it to Highway Fun Safety. And as a result of that easing off, you saw more and more states giving individuals that choice. The data shows there's a safety concern. But ultimately, isn't it an individual's choice of that? Through you, Mr. Chair.

JENNIFER HOMENDY: The state may have repealed some of those laws but then the numbers went the other way. Fatalities increased, injuries increased and the number of crashes increased.

Our concern from the NTSB is that we invest -- and I had mentioned earlier -- we investigate the crashes. So when we show up at the scene and I talk to families, the focus isn't about personal freedom. It's not about, you know, "I wish someone didn't", you know, told -- it's not, "I wish he had more -- he or she had more personal freedom." It's, "I've lost my loved one."

And that's where we come at it. We are the ones who talk to the families afterwards and we are the ones who investigate the crashes and see and know from
the research that head injuries are the leading cause of motorcycle fatalities and injuries.

And we know that the simple solution to that is to wear a helmet that meets federal safety standards. So that's why we recommend it.

SENATOR HWANG (28TH): I fully respect that and the data is indisputable. I mean it's clear. I don't ride. But at the same time, you're right. The tragedy that follows is not only the individual but also their families.

But just as I say, shouldn't that be the individual's choice and their loved ones pressure point of that decision? I would offer to you, I know a lot of good friends who ride. And there are many spouses and many extended members that have said, "Put on a helmet." "Don't ride a motorcycle."

But ultimately, is it not an individual and their supporting circle to make that decision? There's nothing to prevent them to wear it but ultimately, is it not a -- I think you said it very well -- personal freedom to make that decision?

I just hesitate -- and make no mistake about it -- I believe helmet safety is critical and if you're gonna ride, I would encourage you to wear it but just as I would say to people, you know, "Don't drink and drive." "Don't do everything else that shouldn't be good for you."

But ultimately, should it not be your peer pressure, your own education and ultimately your awareness because as you said, the ultimate price for someone that may choose not to wear it is their ultimate health demise.
But saying that, isn't it an individual's choice? When do we say -- the facts are indisputable but you know what, we know what's better. You have to do what we tell you to do. I'm just asking that.

JENNIFER HOMENDY: I really think you could say that with any safety issue and we wouldn't think of -- even dram of saying that -- when it comes to impaired driving. It's not about individual choice, it's actually about the freedom -- and we talk about personal freedom with helmet use but it's also freedom from injury and fatality.

And there are other costs that I won't talk about because that's not my role on the board but I think you'll hear those in the other panels later today.

SENATOR HWANT (28TH): I appreciate the opportunity and I do appreciate the great work your organization does because the data that you provide are compelling. And for those that may consider purchasing a motorcycle and riding, let's them know the risk that they take in not wearing a helmet and the potential numbers in regards to what may happen to them if an accident should occur.

Your numbers and your background information is compelling. But should it be just that instead of making a law that says, "We know what's better for you and we're gonna decide for you." I think that's the question of personal freedom and I welcome learning more about this and reading more about this.

But on the crux of it, I just -- I have to ask that question. It's an individual's choice. When do we
cross that line as a state to tell people we know what's better for you.

So thank you, Mr. Chair.

REP. LEMAR (96TH): Thank you. Again, thank you for your testimony here today. I just wanna highlight as part of your submitted testimony, you actually went to societal costs. So why this isn't just a choice about personal freedom and that we all as individuals and states bear an enormous cost for the associated accident-related and economic damages that occur when someone rides un-helmeted.

You highlight three specific studies that indicate that 70 percent of the total costs of crashes come from un-helmeted motorcyclists. And that the total cost of those crashes was $12.2 billion dollars. They have Dr. Miller doing work on behalf of the Public Service Research Institute estimated in 2005 that the average cost per crash involving a motorcyclist at $71,000 dollars for helmeted use and $310,000 dollars for un-helmeted motorcyclists.

So much studies by the NHTSA found in 1975 -- sorry, found that from 1975 through 2010, motorcycle helmet use saved over $60 billion dollars in economic cost and the helmet use continues to save $2.7 billion dollars annually.

This isn't just saving the individual motorcyclist and their family money, this is system cost that are saved both in our emergency rooms by our insurance carriers. The fact that when you write premiums you have to apply those premiums across for all populations, not just the specific users under specific waiver provisions.
And the associated healthcare costs for ongoing treatment is borne by the general public, not just by the individual. So I do think you covered a lot of that questioning in your testimony and I do appreciate your time today.

JENNIFER HOMENDY: Thank you.

SENATOR LEONE (27TH): Thank you, Mr. Chairman, for highlighting that fact. That would've been the next question but no need now so that's good. Any other questions by members so we can move on?

Thank you. Thank you again for your time.

JENNIFER HOMENDY: Thank you.

SENATOR LEONE (27TH): Safe travels back home. I mean not back home, back to your place of work and we'll look forward to seeing you next time.

Next up is Representative Gresko. Good morning, Representative.

REP. GRESKO (121ST): Good morning, Chairs, Vice Chairs, members. Here to support House Bill 5287. It was actually Representative Sredzinski's idea that we cosponsor it together.

First responders, police, fire departments, EMS respond to emergencies, fires, motor vehicle accidents, water main breaks. But oftentimes the utility crews needed to arrive first to shut off the power, to shut off the water -- are not allowed to get there as quickly as the first responders.

They oftentimes have to take the interstates as opposed to taking the Merritt Parkway/Wilbur Cross Parkway and through some questions both the state
police and Department of Transportation would be willing to entertain the emergency only use of these utility responding to emergencies.

So as far as we know, the height requirements of all these vehicles adhere to the minimums on the Merritt and the Wilbur Cross. So the utilities would not be allowed to just use it whenever they like, it would just be when they were called for an emergency. And I ask for your support of the bill.

SENATOR LEONE (27TH): Thank you, Representative, for raising the concept and providing your testimony. You answered one of my questions which would've been about the height requirements because obviously 15 is, you know, considered a little bit more of a rural road than an interstate highway even though it's treated as such.

And there's always concerns about the infrastructure capacity as well as the infrastructure load onto the roadways. So have you had those conversations with DOT in terms of the load, the weights to the roadways as well as maybe the capacities? Because the fear is two lanes with a responding maintenance truck for the public that may or may not know that it is an emergency, it could cause some confusion or even a situation that we wouldn't like to see happen.

REP. GRESKO (121ST): Yeah, we're not advocating for lights and sirens on the utility vehicles but just when they were called for or by the DOT and/or State Police would be the circumstance which that would be used.
I've seen soda delivery trucks going to the rest stops. They make it through, albeit sometimes they have to drive in the, you know, in the middle to get under the overpass. But I don't think a weight in the concern would be that much of a concern on the Merritt Parkway.

SENATOR LEONE (27TH): And if they are responding to an emergency, I'm assuming they would have the lights that would indicate it as such? Because what we don't wanna see is someone abusing their privilege if this were to pass, to be riding on those roadways assuming that they have carte blanche to do so.

REP. GRESKO (121ST): Yes, correct. I mean you've seen the utility -- usually some sort of yellow and/or orange lights and they don't have sirens but you've seen them in a motor vehicle accident where wires are down or a tree across the road that's taken -- taken wires down as well. Those are the situations where we're looking to get this type of cooperation.

And JP as a dispatcher has seen this multiple times as far as potentially sending someone to a crash or an accident where a utility is needed and they're gonna have to go all the way around on an interstate and go the back roads which will leave, oftentimes, the first responders basically standing around waiting for that utility to be shut off.

SENATOR LEONE (27TH): Thank you. Appreciate that. Let me open up for some questions. Representative Carney.
REP. CARNEY (23RD): Thank you very much, Mr. Chairman. Thank you very much, Representative, for your testimony.

My only question is, I know on the Merritt Parkway there's the Merritt Parkway Conservancy Group. Have you had discussions with them about this proposal and what were their thoughts if you had those discussions?

REP. GRESKO (121ST): The call was made and we haven't connected yet but I can't imagine them really objecting too much. That being said, I can't speak for them but this would be, like I said, an emergency situation that hopefully wouldn't happen very often but when it did, you know, to have to go around the long way and add precious time to a responding accident seems a little silly when they could just use the Merritt.


SENATOR LEONE (27TH): Thank you, are there any other questions? If not, thank you, Representative, appreciate your testimony.

REP. GRESKO (121ST): Thank you.

SENATOR LEONE (27TH): Next up is Representative Tim Ackert.

REP. ACKERT (8TH): Good morning Senator Leone, Senator Bergstein, Representative Lemar, Representative Sims, Senator Martin, Representative Dublin and esteemed members of the Transportation Committee.
I'm here to testify in favor of House Bill 5946, AN ACT AUTHORIZING MUNICIPALITIES TO REMOVE ROAD SIGNS. I'm here -- I'm gonna heed most of my time -- my testimony is online with photos, actually. Dr. Van Kruiningen is here with me. He is one of the individuals that is actively working to help remove some of these wonderful bright chevron signs that have been recently placed amongst our Connecticut rural roads.

I mean rural meaning hundreds of cars, not thousands of cars when you drive around our community. So thank you for your indulgence and here is Dr. Van Kruiningen. Go ahead, sir.

DOCTOR VAN KRUININGEN: Thank you, Tim, for letting me step in. I've probably had more information about this than Tim does because I've been pursuing it and asking questions of the state DOT and the Town Council and our Town Manager.

Let me say who I am. I'm Herb Van Kruiningen. I'm an emeritus professor from UCONN and I retired a while back and recently they hired me back for part-time responsibility.

So that's who I am, I live at Parker Bridge Road, 29 Parker Bridge Road and I wanna tell you what concerns me.

I woke up one day to find that there were signs all over my road. I have a historic home, it's called the Lorenzo Dahl Home. My wife and I take great pains to take care of that. It has the pictures of Lorenzo Dahl and his wife inside. We pass those along to the next owner. We think we're gonna do that. We're very careful about our picket fence,
about trimming the lawn in front of it and I like my neighborhood. This is a nice rural road on which I used to pick up the litter, which I used to jog, on which I used to ride horseback. That's what our rural roads consist of.

So I went to the Town Council. People said, "Go to the Town Council". And I asked them, when these signs were designated, when somebody said they were gonna put signs on our back roads, did they ask anybody? For instance, did they ask the Conservation Commission? Did they ask the people of the Historic Society? Did they ask the Town Beautification Committee?

All people who, like me, want to see a better community and the answers I got were, no. No one had been asked. In fact, the Town Council didn't even know about this.

This process was in the works for three years. It was an agreement negotiated between the state DOT and the Town Managers office. The Town Manager sat with the Town Council repeatedly and yet this never came up. The public was never asked, "What do you think about putting" -- as it turns out -- "240 glaring yellow signs on our rural roads?"

So I was disturbed by that and I contacted Matt O'Brien on the Town Council who's worked with me and I contacted Tim Ackert who's worked with me. And then here's what else I did. And by the way, I've distributed some material and I wanna say that Michelle Firestone wrote a nice article. She represented what I said at that meeting very nicely. And she supplied a picture of these grotesque signs.
So you may take a minute and look over the material that I've provided.

That was in the Willimantic Chronicle. Then I decided well, I should write a letter to the Hartford Courant but I could go better than that, I could in fact do an op ed piece. So I worked -- there's a waiting list, you have to wait about six or seven weeks and then work with the editor and finally I had an op ed piece complaining and asking, "Why, why, why have we done this to the character of Connecticut? Why have we taken the wonderful rural -- mostly rural, sometimes rural -- but why have we taken that rural character and damaged it with these multiple signs that are appearing on all our curbs?"

Then I met with the Town Manager and we had a -- a heated argument, you could say because I wanted to know from him, how come he didn't tell anybody? For three years -- for three years he never said a word to anybody that this was coming. And certainly he didn't know it was gonna be 240 signs.

Then I went to the Willimantic paper and I put in a letter to the editor. I made calls to the DOT. We were told, "Call the DOT." Well, they gave us a number that no one answered. The recording said, "We'll get back to you."

I said the number, 240 signs. And my road, just to give you a visual glance at this. In the half mile between my house and the bridge that connects to Columbia and Andover, there are 19 signs. That's in one-half mile, there are 19 signs.

So I'm damaged whichever way I go. I get up in the morning and I drive to the left, there are 19 signs.
If I drive to the right, there's another 15. In that -- in that one mile stretch, if I were to include the part that's on the right as well as the part on the left.

I was given correspondence. I must say that Elsesser and the DOT did provide me with correspondence and that's what makes me even more irritated because the correspondence emphasized the need to work with the community. The need to avoid sign pollution and the need to have a public hearing.

Yes, [Inaudible 00:49:22] if you wanted to have a public hearing. No public hearing came about. In some of the correspondence that I got from the DOT, there was a press release. The press release was never released so it came as a shock to the people of Coventry. It also came as a shock, I think you know, to some of these other communities like Chaplin and now you see in the recent newspaper articles Danbury, Richfield and New Milford were shocked that the state has overreached -- that the state has put in so many signs.

Among the materials that they provided, just so you have come clarification --

SENATOR LEONE (27TH): Excuse me, sir -- excuse me, sir, we're getting close to the three-minute mark so if you could just summarize so that we can ask some questions, that --

DOCTOR VAN KRUININGEN: I'm almost there.

SENATOR LEONE (27TH): -- that would be helpful. Thank you.
DOCTOR VAN KRUININGEN: Let me -- let me make a clarification here. When you come to this zone of these brilliant signs, there are often six. Why are there six? Because the booklet requires that they put a sign telling you you're coming into a curve and then there are five chevron signs to tell you that you're still in the curve. Like I needed to be told that I'm in the middle of a curve by five chevron signs going down and spoiling my road.

Now I appeal to you -- this has -- this has been the process I've been trying to follow. I'll probably write a letter to the Governor. I will probably ask to meet with the Chairman -- with the Commissioner of the DOT. I certainly will write him a letter.

I wonder if I should write a letter to some tourist magazine and say, "Come to Connecticut. You won't see nice roads but you'll see roads that are speckled and stained and pockmarked by these brilliant yellow signs. Over a thousand of them that have occurred now."

I saw the headline from Danbury where they were complaining about 350. I'm here to complain about 240.

So do we need an article in the New York Times? That would look really foolish, wouldn't it? Do we need 60 Minutes to come here and film all these roads and show them how we've spoiled our highways, our rural roads that we like so much? Perhaps I'll put it in the Journal.

I ask you, so I'm -- in finishing, let me say, I appeal to you to support this law. Support the opportunity to take these signs down because I am
told by one of the lines in those letters, if you take down one of these signs, it's increased liability.

John Elsesser says, "I don't wanna lose my house over this." So we need a bill that would allow more flexibility. We need a bill that would take down -- allow us to take down some of these signs. If it were allowed, I'd personally take them down. That's my assurance and thank you for your consideration.

SENATOR LEONE (27TH): Thank you. Thank you, Representative and thank you, sir, for that passionate testimony. I understand you're upset with the signage. When we saw this bill, we did do a little homework as to what this was all about because this was definitely not our normal type of legislation, to take down signs.

So my understanding was DOT in conjunction with the state and your town, as well as other towns, went after funding -- transportation funding, federal dollars -- to support our roadways and increase safety. And that is how the grants came about and the town's applied for that grant so that they could put up the number of signs.

It seems to be that there was maybe some confusion as to how many signs per mile seems to be the real crux of the problem. And if we are to remove signs, then there's a question about what kind of money needs to be sent back to the feds, if so, in terms of what that would mean. So that's something we will also have to explore.

The other worry you mentioned briefly is that if signs are taken down because it was all about
increasing safety awareness and I -- I could take the point of view that from a rural road, very rural roads, signage does help, especially in the nighttime. Maybe not in the daytime but in the nighttime it does make a difference when you're coming on a very dark night and you're coming on an excessive curve and if you're unfamiliar with -- unlike yourself who actually lives there -- but if someone's visiting, those signs could save lives.

So if you take down the signs, there would be the question of liability from a town that asked for the funding, asked for the signage and now is removing them and then whoever were to get injured, there would be grounds for a legitimate lawsuit in terms of liability.

So those are some of the questions we're gonna have to deal with. I'm not saying we have to answer all that here but that's what this committee is gonna have to dive into to get some more data, some more reasons behind how it all occurred.

We, as the committee, cannot speak to the public notification from your town that should've happened -- public hearing should've happened. That's a different and separate issue, we're not gonna dive into that. Our goal is to make sure that we adhere to federal guidelines, make sure that the proper safety protocol is put into place and if we are to undo that, what would be the repercussions with the very least amount of liability or aggravation.

So it's unclear what we need to do going forward but I do appreciate your testimony. I'll open up for a
quick comment and then I'll open up for some questions.

REP. ACKERT (8TH): Thank you, Senator. And so just on that, the safety component and I would wholeheartedly agree with that if we had any incidents -- any incidents -- on these roads that would warrant a traffic signage on these roads. That would be the number one thing. We would -- you hear so often about roads that are unsafe and maybe signage could've helped. I know I remember the rumble strips put in on some of the areas of concerns.

What simply could've been done is actually just yellow and white striping on the roads. These roads don't have any -- barely any striping at all, they're -- you know, they're the roads you take, you wanna take a Sunday drive and if you look at my testimony.

And so that would be -- I would wholeheartedly agree if there was a safety concern on some of these roads. Do you have a person maybe with a DUI kind of situation driving or something like that or, you know, an issue like that. But the roads are not unsafe roads that I'm thinking of in my community that I drive on very often. But I do understand that concern of the committee.

REP. LEONE (27TH): Thank you sir, I guess we'll have to try to explore if there's -- other than either with or other than removing the signs, if there's other ways to address whatever the concern was meant to be addressed and maybe it was an overshot.
But we'll look into that and appreciate your testimony. But let me ask -- open up for questions. I know my Chairman has one or two.

REP. LEMAR (96TH): Thank you, Representative Ackert and thank you for your testimony today and coming in today.

We saw some video, I think, I don't know who it was, some people were out taking a video of these signs and what it looks like as you approach them and you know, from where I was sitting looking at that video, it seemed particularly overdone. We'll just use it as that frame.

We did ask some questions when this proposal came before us trying to determine what happened. And it's not as if -- we talked to our folks from DOT -- it's not as if the DOT wanted to put those signs up, this was an application made by your specific town and which they indicated a safety concern and then worked with the Department of Transportation to access federal funding to satisfy what they considered to be a very specific safety issue.

So it's not as if the DOT is looking around to look -- have a bunch of signs in the back yard and trying to figure out where to put them. This is a long process by which your local community determined this issue and this specific location coordinated with the DOT to access federal funding to satisfy a safety concern.

So now we have the situation where the local town said we needed this. They worked with the DOT, we went to the feds and said there's a safety concern here. We need to put them up. And now we have
localities and folks from localities saying, "There's no safety concern here, take them down."

And then we have made an application on behalf of the town and the state saying this was very specifically to satisfy a safety concern. If we recognize that safety concern at the behest of the local community and now say, "Never mind, there is no safety concern", and the day after, someone gets in an accident on that corner -- I think you understand where I'm going. We've opened ourselves up to a gigantic lawsuit.

And I think that is what some of the concern of this bill was. It seems to want us to provide a blanket liability protection for the local community so that the local community could take down these signs and that the state would bear all of the liability as a result. And that, I think, concerns a number of us.

I agree with you, there's way too many signs. It seems unnecessary to me but as we have other concerns and considerations as we approach this, I hope that you and Representative Dubitsky who introduced this bill, we can all work together to try to figure out what the right solution is but it might not be as simple as just going out there and having you take them down tomorrow.

REP. ACKERT (8TH): Thank you, Representative, and understand the position you're in. But I was gonna take and video tape the on-ramp to Route 2. There's a sharp from Route 3 onto Route 2. There was less signs on an on-ramp to a major highway than there is in a short stretch of 20 to 25 mile an hour zones in our community.
So it's been overdone is the simplest way to put it.

SENATOR LEONE (27TH): Thank you, we appreciate that and we can assure you we will be trying to find -- help you find the proper solution. We'll look into it. So thank you very much for both of your testimonies.

The last of our public officials, Representative Doug Dubitsky and then we will move into the public testimony.

REP. DUBITSKY (47TH): Good morning, Chairs, Vice-Chairs, ranking members and members of the committee. I'm here, I'm Doug Dubitsky, State Representative for the towns of Chaplin, Hampton, Scotland, Lebanon, Lisbon, Canterbury, Sprague, Norwich and Franklin.

I'm here to testify on behalf of proposed bill 5946. In all my time as a legislator, I don't think I've gotten as many calls and as many contacts about any issue in my entire district than the excess number of signs.

I see here people with tags about helmets. I assure you that the people that are living near these signs are just as passionate.

My understanding of the situation from talking to my elected officials and the people that live there is that they were essentially offered assistance in making their road safer with federal money and state DOT assistance.

When they signed up for this, they -- the towns themselves didn't do any surveys as to determining which curves are dangerous. At least my town
officials tell me that the state chose which places these signs would go, how many signs, what kind of signs and the town basically just signed and said okay.

In many towns, there was no public involvement whatsoever. Just one day all of a sudden there's these massive numbers of signs.

There are people complaining that it's diminishing their property values. I know for a fact in some places there are many, many signs on roads where there has never been an accident in, you know, 20, 30 years that anybody can remember, there's never been an accident on those curves yet now they are -- there's just massive numbers of signs.

So in my town, in the town of Chaplin, the outcry grew so loud that the town actually decided to put it on the -- on our referendum. And we had a vote and the ballot question said, "Should we remove these signs, understanding that we're liable."

And of course people are like -- wow -- you know, with a question like that, we're gonna be liable so it went down. Although people were telling me, "Well, I can't vote for the liability but I do want those signs out of here."

My understanding also is that the towns now own those signs and they theoretically could go and pull them up if they wanted to. The problem is the state has told them that that corner is a problem and needs signs. So how many signs do they pull up? If they've got 12 signs around a corner, can they take six of them away? Can they take eight of them away? Can they leave one sign with a directional arrow?
The towns right now are they don't know what to do with these things. They're just everywhere, they are an eyesore, as you heard and there are -- the residents are very emotional like the gentleman who just testified.

So my proposal is to allow them to remove these signs and without liability and I think that will essentially solve the problem. I don't think it will point liability at anybody else, it'll just say -- these signs were -- up until last year they weren't there. Most of these places there have never been an accident.

Clearly these signs are not needed in those places. The towns have the -- now they have the authority to remove them.

SENATOR LEONE (27TH): Thank you, Representative for the testimony and adding to the issue you heard just briefly why and how we thought this occurred and our -- our situation with trying to determine whether to provide indemnification from liability or not.

I'm not quite sure we're there yet but we will explore this issue to see if there's an alternative or somehow a way to address your concerns. The last thing we wanna do is put the state or your town or anyone at risk for in terms of a lawsuit, so we're gonna have some work to do. We will work with DOT to figure out what the next steps are and we will make sure to keep you and Representative Ackert and the rest of your community informed as we pursue this.

So I'm not sure it's quite as simple as you say. That's my personal opinion. We will -- we'll work
on it to try and help you out because it is a concern, seems to be excessive but there has to be an alternative somewhere.

So we will work hand-in-hand with you to try and come to that conclusion.

REP. DUBITSKY (47TH): Well, I appreciate that and you know, I'd be glad to work with you on it. I have, you know, some of my constituents have told me that they're actually dangerous because at night they are so bright that you basically can't see anything except these giant yellow chevrons with a line on them.

So you know, whether they're safer or not, I think is a matter of opinion and I'd be glad to work with the committee or anyone else to determine what the best solution is.

SENATOR LEONE (27TH): Thank you. Let me open up for questions. Representative Perone.

REP. PERONE (137TH): Thank you very much, Mr. Chair. Just a quick data point. I'm just trying to get a sense of what the cost is to municipalities that to pay out for suit losses because, you know, I'm trying to get a better sense of how big an issue this is in terms of liability.

I think that, you know, DOT is -- I mean they work hard and put safety first so it's a fine line. You know, but do you have any sense of, you know, like what the impact has been on -- on state municipalities?

REP. DUBITSKY (47TH): Are -- you're asking if --
REP. PERONE (137TH): If the liability passes, like you know, what the cost is to municipalities.

REP. DUBITSKY (47TH): I don't know. I don't know if any towns have removed the signs. For in my district, I know that they have not. They -- they would like to -- and they're worried about the liability. I have -- I don't know of any towns that have actually incurred liability because of that, if that's your question.

REP. PERONE (137TH): It's -- it's -- yes, thank you very much, appreciate it.

SENATOR LEONE (27TH): Representative Morin.

REP. MORIN (28TH): Thank you, Mr. Chairman. Thank you, Representative, good afternoon. Or I guess it's still good morning.

I just saw -- I'm sorry I came in late on your testimony but listen, is this -- are you asking this for the municipality to remove on a state road or on a local -- local road.

REP. DUBITSKY (47TH): No, they're primarily on the local rural roads. Not on state roads. The towns have no control over the signage on state roads and they wouldn't own those. But they do own the signs on the local roads.

REP. MORIN (28TH): So the state owns the sign on the local roads?

REP. DUBITSKY (47TH): No, the state indicated where those signs should be put in and they did put them in. The state put them in but they're -- they're owned by the towns.
REP. MORIN (28TH): That's very [crosstalk].

REP. DUBITSKY (47TH): It's federal funding so it is -- it's kind of a weird situation.

REP. MORIN (28TH): Sure sounds like it. So I -- like you, I'm interested in getting more information as to why and how this happens and look forward to further discussions. Thank you, Mr. Chairman.

SENATOR LEONE (27TH): Thank you. Representative Haines.

REP. HAINES (34TH): Hi, thank you for -- thank you, Mr. Chair, for taking my comment. I live in East Haddam. I'm the State Rep for East Haddam and East Hampton and a little bit of Colchester. And we have 57 square miles full of private little roads with chevrons all over the place.

Equally a big problem in East Haddam and East Hampton as well. And one of the things that I've found out also is that there's new cars out there with headlights that actually dim when they hit other lights. And they actually dim when they hit the chevrons at night.

So that's how bright these things are. And there are people in my district who can't find their driveway because it's so bright right around the corner where their driveway is.

So it really is a big problem, almost a safety issue as well. So I think we really need to take a good hard look at this and again, as Representative Dubitsky said, these signs haven't been there for hundreds of years. This is a brand new thing and none of these roads were having accidents because
you have to go ten miles an hour, these are how tight these curves are.

So something to think about. Thank you for coming in, thank you for putting this bill up.

REP. DUBITSKY (47TH): Thank you.

SENATOR LEONE (27TH): Thank you. It does seem to be an issue, we will definitely look into it. Any other questions? If not, thank you, Representative, for --

REP. DUBITSKY (47TH): Thank you.

SENATOR LEONE (27TH): -- your leadership on this.

REP. DUBITSKY (47TH): Appreciate it.

SENATOR LEONE (27TH): Next up is Rich Paukner as we go into the public testimony.

Part of what we discussed before at the public hearing, we think we've organized the next few hours to be the most efficient and beneficial for all of our folks who've come. I think you were planning on inviting a few members of your association to join you today to consolidate a lot of the remarks that we had.

We thought the best way to do this, given the sheer number of people who are interested in testifying on this was to provide a larger window than three minutes. Represent -- I understand that you're representing a large organization of people who otherwise would've testified today.

So if there's additional people you'd like to invite up with you, now would be that time if you wanted to
do that or if you are taking that time on behalf of everyone, that is also appropriate as well.

And if there are folks in maybe in the back who wanna like raise their hand saying that like you're part of this organization, some way to identify yourself, you can do that as well. We just ask that you do it respectfully and quietly to give a sense to this committee of the magnitude of the folks in attendance here today.

So with that -- Richard, you can't see it but there are a lot of people raising their hands behind you.

RICHARD PAUKNER: Okay so first I guess I need to introduce myself. My name is Richard Paukner, P-A-U-K-N-E-R for the record. I live in the town of Easton, Connecticut and I'm here representing the Connecticut Motorcycle Riders Association with respect to the helmet provision that's contained in House Bill 7140.

So -- and by the way, Mr. Chairman, I wanna thank you and Chairman Leone for arranging this format. I mean we've been down this path so many times and I do believe this is the most efficient and the best -- in everybody's best interest to, you know, have the dialog -- the side will have this, say we've had our -- we will have had our say and we move it on.

And I guarantee you, when I'm done speaking this room's gonna clear out to a large extent. Okay. Well, in other words, we'll live up to our end of the bargain.

So you know, just from a historical perspective, okay, I've been representing this organization on
this issue since 1983. Okay, and I've been up here numerous times debating this same issue. It's an old issue. In my opinion it's gotten a bit tired but that's not to diminish the importance of the issue and the importance of having a full airing.

And given the fact that we've got basically a whole new committee makeup, I mean I recognize Senator Leone from the past. I -- you know, there's a Representative Perone, there's a few other names here that I recognize who aren't actually here at the moment but I know they're on the committee.

You know, this issue, I suspect, is new to most members of this committee and I'm gonna tell you -- and I'm gonna say this. And I mean this sincerely. Please take the time to look at this issue. This is not a black and white issue. This is not a numbers issue.

The woman that was up here before from the National Traffic Safety Board, you know, if I had listened to just her presentation, I'd vote for a helmet law. I think it sounded pretty compelling to me.

But what she failed to bring out is she's looking just at motorcyclists and throwing out these huge numbers. Imagine what those numbers look like if we were to be looking at other preventable disease that would require us to intercede in the behavior of the participants.

And I'm thinking things like diabetes which would speak to eating habits. I'm thinking of things like cancer which would speak to things like cigarettes. I'm thinking of things like other -- I don't think I
have to elaborate on the number of highly expensive, you know, maladies that we have in society.

And my point is simply this. We don't tell those people, we don't regulate them in so far as that behavior. Right? We don't outlaw alcohol. We don't prohibit cigarette smoking. We don't try to control or regulate people's eating habits.

But if we did, we'd save a lot of money in terms of societal costs and healthcare costs. So one of our biggest objections in this bill is that we constantly feel we're being singled out. And I don't mean that in a, you know, with any kind of malice. But I guess maybe just because it's so visible. Right, I mean it's the -- for people -- it's quite obvious when someone's not wearing a helmet and riding a motorcycle on I-95 that it's sort of a statement, right? I mean not intentionally but to people who never have experienced that.

Excuse me while I refresh my mouth. There's a lot -- there's a number of things I want to hit on today. And I will do it as quickly as I can but I -- I did feel as if we needed -- I needed to at least address the administrator's comments.

Okay, let's -- here's something else I really want you all to think about, okay? There are 31 states that permit adults the right to choose whether or not or when to wear a helmet. Thirty-one, okay? And I would say that in the last 25 years that number has never been less than 25. Okay. And there's a reason for that. If the argument in favor of mandating helmet use was so clear and
overwhelming, indisputable, do you think we'd have 31 states that permit adults the right to make that choice?

And I want -- and I want to go to some of Senator Hwang's comment -- I'm sorry if I mispronounced your name -- he's actually my Senator, too. [Laughter in the background] And a great guy, by the way.

You know, if the end of this was so compelling and so absolutely certain, you know, so -- so indisputable -- then yeah, there does reach a point. We're not unreasonable people that reach -- you get to a point where you say, "You know what? We're gonna have to trample a little bit on these rights because it's just an unacceptable situation."

We are not there. In fact, we're the -- in the exact opposite place. I wanna take you down some numbers, okay? There's gonna -- you're gonna hear a lot of numbers today and I do wanna get back. I wanna tell you specifically how NHTSA calculates helmet effectiveness. I think you're gonna be quite surprised. I know I was. I had to go and actually look it up again. It's been a long time.

But let's talk about the state of Connecticut, okay? One of the 31 states. We've worked with this -- well, not this committee but we've worked with the Transportation Committee over the course of the last 40 years. We recognized back in 1983 when we came very close to having a helmet law reinstated that there was a problem. That we -- that motorcycles needed to be made safer. And we said we would help and we would assist interested parties.
Well, there weren't many interested parties other than some of the legislators took it to heart. I've never ever seen a doctor or any of the other proponents, you know, involved in any of the efforts we've ever made over those 40 years to make motorcycling safer. Whether that was by going up and testifying on behalf of rider training, rider education, getting money for the program, expanding the program, the license waiver test or the license waiver provision. They're never there. Never. You know who's there? These folks. And me.

Okay and I -- and I'm not saying that to denigrate the doctors or the other side but I am saying, I do wanna point out they're not interested in motorcycle safety, it's always about the helmet as a device. And that's -- it's a much more comprehensive problem than this device. And that's why I do wanna talk about how NHTSA comes up with their 37 percent effectiveness rate with respect to the use of a helmet.

But let's talk about Connecticut, okay folks? I handed out -- or we put in our packet some statistical data. It's very easily verified. I would urge you to fact check me. It's out on UConn's site which has taken over the number crunching. And before that, you have to go back to the Connecticut DOT stats which they used to publish.

But I just want you to take this in because I think this is incredible. But the panels argue that fatalities is not the only issue. It's injuries. And the cost of treating the injured. Yeah, I think that makes sense, I buy it.
So let's just look at what 36 years of data here in Connecticut starting with the year in which we enacted rider education in the state of Connecticut, okay?

In that year we had 79 -- I've got to put on my glasses -- we had 79,900 -- let's call it 80,000 registered motorcycles in 1982, okay? We had 3,107 motorcycle accidents that had -- that had an injury. And at that time they used the rating system A, B, C.

Now let's jump forward to 2018 on the next page. We actually don't have the number of registered motorcyclists yet in 2018, it hasn't been published. But it's gonna be somewhere between probably 85,000 and 95,000 based on the two preceding years.

In any case, it's at least as many, if not more, than 1982. And instead of 3,107 motorcycle accidents in which an injury was sustained as in '82, we had 759. And maybe more importantly than the absolute number, look at the trend. It's pretty discernible. It's -- look down that column of number of motorcycle accidents with injuries. It's not doing this, jumping up and down, it's -- the trajectory is almost straight down, okay?

And now let's look at the -- the injuries that in which the motorcyclist incurs. The most serious injuries. These are the -- the injuries that our proponents would argue are the most costly to society, okay?

Again, 1982, 80,000 riders, 1,068 most serious injuries. Flip to 2018, 167. Now I've gotta tell you, we're pretty proud of this because we -- and
you should be proud of it, too, because you know, you're the formal legislators that sat in those seats like Christine Needlemeyer and -- who was the chairman at the time when we sat down with her and she was really the one that, you know, was driving us and helping us to get legislation passed to do the rider ed program.

She would be very proud, I'm sure. The point is, these -- and again, I wanna make -- again I wanna point out look at, in those most serious motorcycle injuries, it's not up down, up down, up down. You can't -- it's almost a constant every year it goes down a little bit.

I mean yeah, there's one or -- there's a couple years where it ratchets it up, ratchets up some insignificant amount. But then it resumes the downward spiral. Okay? So I think that we have accomplished, you know, made tremendous strides in terms of making motorcycling safer like staying with numbers. And NTSB and other testimony you're gonna hear today.

I do not believe -- this is my personal opinion -- I do not put a lot of credibility in the numbers argument that our proponents will present to you today just as well as any have been presented.

And I -- I say that not employing their integrity, not suggesting that they have somehow, you know, conformed the numbers to what they want it to be. But -- and here's the basis for this statement -- if what they're saying is true, how is it that after, you know, 40 years or 30 years of data, when you stack up the states that have helmet laws and have
had them since 1967 when the federal mandate went into effect. And they're compared to the states that repealed it after '76 when the mandate was lifted by the feds, they're essentially the same. How can that be?

If a motorcycle helmet is so effective, why doesn't New York, New Jersey and Massachusetts have significantly better stats than we do in terms of accidents and fatalities?

And we track this -- this is not in your packet today because what happened is the institute -- the Insurance Institute for Highway Safety, another major advocate as I'm sure you're all aware, of helmet use -- they stopped published the data around the end of the '90s or early 2000s because they knew we were using it and we were making a compelling argument that essentially countered their position.

Okay? But if you want me to dig that stuff up, I can. And I know for a fact that if that -- that trend is still taking place. We just don't go through the effort to track it anymore.

But -- and let me also say this -- excuse me. To the NTSB statement about, you know, if you look at states that enact the helmet law the numbers get way better and you look at states that repeal the helmet laws, the numbers get way worse.

Well, you know what? There's a reason for that, okay. When helmet laws are reinstated, ridership goes down. [Ringing noise in background] And when ridership goes down and the number of miles traveled goes down consequently, the exposure to being injured or being killed on a motorcycle goes down.
And in the same way, when the law is repealed, you get people that are incentivized to come out and ride either again or for the first time for the thrill of it because it's clearly more fun riding a motorcycle without a helmet than it is -- that's a personal opinion, has nothing to do with this issue. But I'm just making a statement.

And that's why the numbers go up. Look at those -- challenge -- challenge some of the testimony today. Ask people to deliver statistics, you know, three to four years after these changes in the law. And what you're gonna see is they revert to the mean. Okay, the spike that took place is no longer there.

So let me conclude by making this last point. The issue as we see it is not about statistics or numbers. Numbers lie and lies figure, right? I mean or however that statement goes meaning that numbers can be made to pretty much say whatever you want it to say.

The issue here is the issue that my Senator raised. It's the question of when do we step in and tell an adult that they are incapable of making a personal choice that potentially could impact their safety.

And I think -- I think Mr. Hwang hit the nail on the head. I mean you know there's -- good legislation, in my opinion is not the result of a singular event, tragic event -- and it's -- and it should never cross the line whereby we trade off people's personal liberties for the desires of the state unless -- and I'll make this exception -- unless the evidence is so irrefutable and so compelling and the public health issue is so incredible, that is not
what we've got here despite the way our proponents are gonna play this and are gonna present it.

And you know what? If you look in my testimony, there was a study done at the University of North Carolina back in the 90s and they came up with conclusions that said things like motorcyclists were better insured than other users or admitees to the hospital. They were less likely to rely on Medicare and Medicaid for treatment. A variety of other points. You've got the testimony, you -- you can read it for yourself and you can look up the study.

So you know, I'll close with this. I made a -- I watch CTM like a junkie, okay? I love what you people, you know, have -- you know, do for the citizens of the state of Connecticut. If I -- if I could retire, I would run for office, okay? I did serve in local office in Wilton back in the 90s on the Planning and Zoning Commission for six year.

So but let me say this, being well -- fairly well read, I know we have a problem with outward migration. It's obvious. And I'll tell you something. I see -- you pass a helmet -- I know this is not a significant point but I feel compelled to make it.

You pass a helmet law and you know, the average age of most of us that are in this room is probably north of 50. Maybe north of 60. Right, and we're stopping to think about retirement. And we're also taxpayers and productive members of society. You know, despite appearances to the contrary in some cases. [Laughter]
And we would like to stay in Connecticut. We'd like to continue to pay our taxes and live in this state. It's a phenomenally wonderful state because we have educated people. We have beautiful natural resources. We've got people that care about, you know, our lights. So, I don't know, let's not -- let's not give them one more reason to move to South Carolina where there's no helmet law. Or to move to Florida where there's no helmet law. Or to move to New Hampshire where there's no helmet law.

By the way, the NTSB rep made it sound like we're surrounded by helmet states. Well, to some extent that's true but it's not totally true. Rhode Island doesn't have a helmet law. New Hampshire doesn't have a helmet law. Maine doesn't have a helmet law. Pennsylvania doesn't have a helmet law.

And by the way, you know, when we talk about the 31 states that permit adult freedom of choice, these are -- I'm not talking just about states like Ohio or Kansas that don't have major centers. I'm talking about Chicago, Illinois. You don't have to wear a helmet there. In fact, they've got no helmet law. No age restriction, okay. Dallas, Texas --

SENATOR LEONE (27TH): Rich, if you don't mind, if you can just wrap it up --

RICHARD PAUKNER: Okay, yes sir.

SENATOR LEONE (27TH): I'm sure there'll be questions and we can continue the conversation.

RICHARD PAUKNER: Okay, I will. Okay so let me -- let me conclude. This time for real. [Laughter]
By saying we do -- we do not -- we do not oppose, I did offer testimony but we do not oppose raising the age on helmet usage to 21. Or to under 21. That's a debate over, you know, a question of when are you're an adult. We've always -- we've always stood on the position that adults and minors should be treated differently. I don't care how you wanna define an adult. Twenty-one -- under 21 is fine.

And as far as the lane splitting bill -- I mean we just -- we opposed that. Some of our members think it's crazy. But there are also some members that support it so if they wanna speak on it, so be it.

Thank you.

SENATOR LEONE (27TH): Thank you, Rich, and we appreciate you taking the time to offer, you know, an alternative point of view which is always helpful for the committee because one side never is the only side. So that's -- it's nice to hear.

And we appreciate you and the whole entire community taking the time to come up and also to work collaboratively to, you know, limit the conversation so we get to the crux of the matter and not have to hear repetition. So that's very helpful for the committee.

You mentioned earlier about this is a new committee and you're right. It is a new committee which is the reason why you see sometimes legislation appear over the years over the time similar issues that you may have thought was addressed. That's because these are, you know, committees change, legislatures change, they listen to their constituents and they
come up with their -- their ideas and sometimes that is repetitive.

So it's always good to go through this process in a public forum to educate each other on the issues. To make sure that we hear all the information and you're right, numbers can sometimes be skewed so it is incumbent upon us to take the context into play.

From the state's perspective, they're coming at it from a safety perspective which is the correct way. From the public, we understand the personal privacy and the freedom of choice. That goes a long way. And I think you made a good argument that if there's many other states that are in the same situation, that does cause a question to be raised that needs to be flushed out.

If anything, it does give justification that if this does -- is -- rises to the level that it is of utmost concern that maybe it should be federal regulation which would then be nationwide and not state-by-state.

But when the -- but when the country doesn't -- when the federal government doesn't make a decision, it is left up to the states to then make and chart their own course which can then constitute some differences.

So there's probably reasons why some enacted it and then reversed it and there's probably reasons why states have enacted it and have not reversed it. That's something we'll have to go through.

So we do appreciate your testimony. I've been through this conversation a few times now but there
are members that have not and so it's -- it is a worthy debate to have to see if it's something that we need to continue or if it's something we need to change.

So I'll leave it at that and I'll open it up for some questions for some members. I know my Chairman does have one or two.

REP. LEMAR (96TH): Thank you, Richard, again for your testimony today and for helping to organize a lot of what we'll see on a public hearing testimony site later on. You represented the feelings of scores of people who have contacted this committee who supplied written testimony.

Inherent in your presentation you also included fact sheets from the Motorcycle Riders Foundation. You've indicated both federal and statewide research reports that have been compiled. Maybe not in the verbal part of your testimony but encompassed in your written and submitted testimony is a wealth of information that this committee will have at its disposal and for anyone who's watching on CTN or is here today who wants to have that information. It will be made available publically on our website.

So we really are deeply appreciative of both your time, your manner in which you presented this issue and the deep amount of research that you've provided to justify your point. So I wanna say thank you again for your compelling and coordinated effort today.

RICHARD PAUKNER: Thank you, Mr. Chairman.
REP. LEMAR (96TH): And I know there are numerous questions here. Mr. Chairman if you wanna call the roll.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. I do wanna say thank you for commenting on House Bill 6161 about the age. That is very helpful from -- for your organization and also your input on the lane splitting. That one sort of took us by surprise so I appreciate your comments.

So with that said, Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you for your testimony today and I would echo the words of our Chair, you did a great job of just providing a lot of what looks like significant data and information to us. So thank you for that.

RICHARD PAUKNER: You're welcome.

REP. DEVLIN (134TH): I would also mention that Senator Hwang is my Senator, too and I would agree he does a good job and is a great guy. [Laughter]

So but my question for you is this and I had asked it of Miss Homendy and I don't know that -- I don't think she really addressed it but it's around the education initiatives. And what you do mention in your testimony is the Connecticut Rider Education Program.

Can you just speak to that a little bit more and efforts that are underway to help provide that education so that riders can make an informed choice about what they wanna do versus mandating what they must do.
RICHARD PAUKNER: Sure, it's a great question. Well, first of all the Rider Ed program dates all the way back to 1982. It's -- it has evolved substantially and I know there are some people here who are gonna testify in favor of motorcycle helmets being made mandatory that are wearing the emblem from the program. So they'll have an opportunity to address this as well.

But essentially the concept behind the Rider Education Program was to basically say that we need to focus not so much on injury mitigation but accident prevention. Now think about that. I mean doesn't that make sense, right?

And the first and the most important way one does that is to train the rider to use -- to have the skillset to be able to avoid that accident whenever possible.

I mean I took the course back quite a while ago. Probably should take it again. But -- and it has changed a lot and probably one of the biggest ways it's changed and this was a very controversial issue for us and for the general -- well, for the Transportation Committee -- we actually supported a measure that was introduced that created a license waiver so that instead of focusing on the rider -- the licensing test which was never very effective or efficient in terms of gauging ones skillset.

Instead it was now mandatory that motorcyclists seeking a motorcycle license had to take the course. The course was regular, it was -- at least back in my day, it was two days -- two full days and a half
day. And the days were split up between classroom and actual on-the-range training.

I mean it -- and you know, we were very lucky. We had an administrator by the name of Ray Garland [phonetic] from the DOT. And I mean he was critically acclaimed across the country. You know, I've been involved in this issue on a national level as well as just in the state of Connecticut and I can tell you that when I would mention Ray's name, everybody knew him. Everybody loved him. They thought Connecticut had one of the best models.

There are a lot of models out there that were -- that were also good but I'm -- does that answer your question?

REP. DEVLIN (134TH): Yeah, so is this course required?

RICHARD PAUKNER: It is.


RICHARD PAUKNER: And we had a lot of pushback from other motorcycle groups around the country saying that, you know, we don't do that for car drivers, why should we single out motorcyclists. And I gotta tell you, that was a philosophical hard line to walk but you know what? In the end, we all want the same thing. We all want motorcycling to be safe or you wouldn't be having this hearing if you didn't think that this might be opponent in that.

So we took our lumps and we supported it and that's what we got and it's a good -- I think it's worked out well.
REP. DEVLIN (134TH): Thank you. Thank you. Thank you, Mr. Chairman.

RICHARD PAUKNER: Thank you.

SENATOR Leone (27TH): Yes, Senator Martin.

SENATOR MARTIN (31ST): Yeah, more of a -- not a question but a comment regarding the safety class for your licensing for the motor -- motorbike. I did take that class and I can't say enough about what I learned in that class as well as, you know, they do talk about the amount of risk that you want to take while riding a bike regarding the boots, the care, the helmet.

And then what is really exceptional, and I think it speaks to your -- the trend, the downward trend in the accidents. You were -- you do ride that bike and you have to pass that test. You can't drop your bike. In order for you to pass to get your license.

So I -- high compliments for the class itself and I think the statistics seem to prove that, you know, that there are great benefits to taking that class.

RICHARD PAUKNER: And if I may just make a quick very brief comment. Again, I don't know why our proponents sitting behind us, sitting behind me, never got behind this, never came up and testified and never got involved with the arduous task of making it a reality.

But they can speak for themselves. And there was just one other thing I wanna say and I think this is an important point.
First of all, we're not opposed to use of helmets. I think that's understood but just -- I didn't say it so let me make it very clear. This organization has never dissuaded anyone from wearing a helmet. We don't advocate not wearing a helmet. We have members that wear helmets, okay, this is all about freedom of choice.

And the last thing I would say on that point, sir, is education. You kinda put your finger on it. I had two children -- two daughter, 25 and 31, okay. They would never get in a car and not wear a seatbelt. They would never drink and drive. They go out and drink -- they drink a lot. [Laughter] But they --

SENATOR LEONE (27TH): Richard, you're doing a great job, your daughters might not agree with me, though.

RICHARD PAUKNER: But my point is they take an Uber. See, education does work. We had a lot of resistance to this in the 80's when people said, "Ah, you know, we need a quick fix. We need a motorcycle helmet law." And we said, "No, we need a long-term solution. A Rider Training Program among other things."

And you know what? I'm -- I feel pretty -- pretty good about the fact that I think we were right.

SENATOR LEONE (27TH): Thank you. A few more questions? Representative Perone followed by Representative Carney and Representative Ziogas.

REP. PERONE (137TH): Thank you very much. Once again, you do a great job representing your organization, the devise of your organization so you
know, it's been said before but you have my compliments, you're doing a great job.

RICHARD PAUKNER: Thank you.

REP. PERONE (137TH): You know, my feeling is -- or really my question comes down to a couple questions. Does Connecticut still offer the sales tax exemption on helmets?

RICHARD PAUKNER: I don't know the answer to that.

REP. PERONE (137TH): Because we've been like doing away with a lot of things recently so I just wanted to make --

RICHARD PAUKNER: I don't know but I'm sure that would be easy enough to find out. I'm a CPA, I should know that. [Laughter]

REP. PERONE (137TH): We're learning all kinds of things about you today. The other thing is do insurance carriers try to incentivize at all the use of helmets?

RICHARD PAUKNER: Well, that's an interesting question. If we go back, you know, back into I think it was the late 80s, early 90s, one of the pieces of legislation that we worked collaboratively with, with the community, was a bill that was passed that mandated that if you took the Rider Ed Course, you must get a ten percent insurance discount.

It's kinda become a moot issue because now the course is required for licensing. But back then it was elective and what we were trying to do is give an economic incentive to motorcyclists to take advantage of this. Because it was met with some
resistance in the early days. They already had their licenses, why did they need to go be taught how to ride?

REP. PERONE (137TH): Right.

RICHARD PAUKNER: But the reality is we all would do well to go back to school sometimes.

REP. PERONE (137TH): Well, thank you for that, I -- now, sorry to say, you know, how a bill's gonna do once it goes through the process here but you're stressing education. I think that's -- you know, I had a health scare a couple months ago and the education that -- that's been in public use, you know, for the media about, you know, heart health and that kind of thing. That probably saved my bacon. It probably helped considerably.

So, you know, in that spirit, when you consider that the mind of a child doesn't really stop developing until age 25 or so. When you map that against the statistics, the higher incidences of fatalities in ages between 20 and 24, would you consider looking at -- stressing that, you know, education, Rider Education amongst this group because it seems that the more you make an effort there, I think you'd have a greater -- a greater impact.

I'm just wondering if you'd thought about that basically -- I'm sorry, go ahead.

RICHARD PAUKNER: I have to apologize, I didn't -- I didn't hear the -- I couldn't take in the entire question.

REP. PERONE (137TH): Would you consider maybe ramping up education for riders 25 and under to --
given statistically that they get in the greater share of accidents.

RICHARD PAUKNER: Yeah, absolutely. I mean again, we all want the same thing. I'm not sure what that ramping up would consist of but -- [crosstalk] -- oh, okay. But -- go ahead.

REP. PERONE (137TH): Well, because basically it's like this, it's -- as much of this is, you know, behavioral, we know that this demographic is gonna, you know, act a certain way so it's like you wanna try to make sure you get out in front of it and see if you can stress, you know, stress the education.

I practically think that the point you made about stressing safety in ridership and that education part of this thing is -- is gonna -- and is gonna have huge dividends, a huge payoff for us, but I'm gonna stop now, I'm rambling a bit but thank you very much for your testimony. I think you're doing a great job for these -- everybody here. And --

RICHARD PAUKNER: Thank you and I will make a comment to your statement if I may. My observation, obviously not scientific, but my observation is most of the younger motorcycle riders that I see wear helmets. And again, I think that's nothing more than a continuation of this phenomenon that we've taught this younger generation to be safety conscious and they're making choices with their own free will to do -- take the safest course of action possible.

REP. PERONE (137TH): And that's a fair pun but I think one of the issues is that, you know, as policy makers, it's a fine line between individual freedom
and public safety. So it's like I would love to text in my car. I can't. You know, it's -- there -- it's like where do you draw the line. I think that's the heart of this debate. So it's -- you raised some great points, thank you.

RICHARD PAUKNER: Thank you.

SENATOR LEONE (27TH): Thank you. Next up Senator Carney followed by Representative Ziogas.

SENATOR CARNEY (23RD): Thank you very much, Mr. Chairman and I thank you for your testimony, appreciate it, I believe I recall you testifying, I think, two years ago on the very same issue, so I appreciate it.

So I do have a few questions. My first one's somewhat general but I'm just curious. Why would someone not wear a helmet on a motorcycle?

RICHARD PAUKNER: Well. Okay, I mean that -- I'm gonna give you an answer to that but I'm gonna qualify my answer by pointing out that that's a choice and, you know, a view that every individual rider holds.

Why do I not wear a helmet? Well, first of all I will tell you that there are times when I will wear a helmet, okay? But by and large that's only when I feel like I'm otherwise imperiled with the weather.

I find -- and I know this is gonna make some of these people behind me cringe -- but I've been riding since I was 20 years old and I definitely feel safer riding without a helmet.
I can hear better, I can see better. You know, they're gonna claim that there's all these studies that debunk that but I'm telling you as I'm here -- as I'm here today, I'm telling you that I feel safer riding my bike without a motorcycle helmet.

And I'll tell you something else which is an interesting theory on this. And I don't know if I can come up with the exact phrase but there's actually a theory out there that's been written about that says that when you feel -- risk aversion I think is the concept. And if you feel more vulnerable potentially by not having a helmet on you may ride differently than if you're in a body suit of armor with that big full-faced helmet on because you feel invincible and you feel like, you know, you're protected.

I mean the example is, you know, I have a 1941 Cadillac. When I drive that Cadillac, I don't drive it the way I drive my 2018 everyday vehicle. I'm sorry, does that answer your question?

REP. CARNEY (23RD): No, it actually does. I really appreciate -- I really appreciated that answer.

So my other question is, if you give some -- I know Representative Perone talked about insurance costs. How do -- and if you don't know, that's okay -- but do you know how insurance costs compare for your average everyday insurance policy in Connecticut versus say Massachusetts or New York States that require a helmet law.

RICHARD PAUKNER: Wow, you must be clairvoyant because I had -- I had this discussion this morning and we did some fact checking. And very
interesting, the exact states you mentioned -- New York, Massachusetts and New Jersey. They all have a higher cost to insure a rider than the state of Connecticut does.

I thought that was pretty interesting. I didn't know that until this morning.

REP. CARNEY (23RD): That is very interesting. And if you could just tell me, how do the percentage -- I guess percentage of fatalities in motorcycle-involved accidents, how does it compare in Connecticut versus Massachusetts, New York, New Jersey?

RICHARD PAUKNER: I don't think I can give you a good answer to that. If I understand the question, you're saying once an accident has occurred, and that becomes the baseline by which we look at, does the rider survive.

You know, again, once the insurance institutes start publishing all the numbers, you know, it became a like going down a rabbit hole. So I don't know.

I, we -- you know, could find out. I could -- we've got a group in Massachusetts just like this group. I'm sure they know the answer.

REP. CARNEY (23RD): Okay, I appreciate all your responses to my questions. I guess -- I guess what I'm looking for is really trying to balance the freedom which I agree with you. It's somebody's freedom to choose to not wear a helmet but those rare instances when somebody does die in an accident.
I know when, you know, when I'm driving on the highway there are -- and again, it's not most motorcycle riders -- but you do see on occasion folks weaving in and out, not wearing a helmet, going way over the speed limit. And I think some education would be good and it actually usually seems to be younger people doing that.

RICHARD PAUKNER: By the way, a helmet's not gonna save those.

REP. CARNEY (23RD): A helmet's not gonna save them, you're probably right. But I do appreciate -- appreciate your testimony, it is really helpful to me in this situation. So thank you.

RICHARD PAUKNER: Thank you.

SENATOR LEONE (27TH): Thank you. Representative Ziogas.

REP. ZIOGAS (79TH): Yes, thank you. I was gonna ask an insurance-related question but I think it's already been asked and answered.

My only other observation would be how would you feel about if we restricted experience as opposed to -- in addition to education. That is to say, for instance, you'd have to have three years of experience before we allow you to ride without a helmet.

RICHARD PAUKNER: I'm sorry, so you're saying -- you're asking me to comment on a concept of you -- one would have to have three years of experience to do what?
REP. ZIOGAS (79TH): Yes. You have to get a license to ride. So you'd have to have three years from the date of licensing before you'd be allowed not to wear a helmet.

RICHARD PAUKNER: Oh, I see. I understand your question now. You know, I'll be honest with you. The problem with that is philosophically we're trying -- we're trying to be pure, if you will. In other words, we've always argued that there's -- that we can treat minors and adults differently. There's been no, you know, debate over that or disagreement.

But to step over that line and to say that a 30-year-old would have to be -- plus, I mean -- yeah, how are you gonna enforce that?

REP. ZIOGAS (79TH): The idea would be if you were in an accident in that intervening period then there's a different sense of liability.

[Crosstalk] If we accept the fact that motorcycle riding is something different and probably a little bit more dangerous than other activities, then I'm just saying experience matters along -- compounded with the education factor with is -- so I'm just saying as an example. If you have another idea, I'm listening.

RICHARD PAUKNER: Okay, I will give it thought. I don't have something that I can just throw out to you right at this moment but I would say this. If we're going -- if you think that's a pathway we should look at going down, then we need to also look at going down that same pathway with other -- you know, in other circumstances like driving a car. I
mean, you know, the cost to treat automobile injuries far exceeds motorcycles. Only because there's so many more of them than there are of us.

REP. ZIOGAS (79TH): Understood. I'm only trying to offer a solution somewhere in between.

RICHARD PAUKNER: Okay. I mean I -- I'll take it under advisement. Thank you.

REP. ZIOGAS (79TH): Thank you.

SENATOR LEONE (27TH): Thank you. I don't think there are any other questions so Rich, thank you and thank you to the entire members that you brought up with you in support of your point of view on this. It's very helpful and I appreciate taking the time to do it in a collective manner. That's very helpful for the committee. And we look upon that as favorable so thank you.

RICHARD PAUKNER: Thank you both, Chairmen, and please when the opposition comes up here behind me, ask them the tough question. Ask them how is it that we could've achieved this level of success in Connecticut. Ask them why the states with helmet laws not have substantially better safety records than states without helmet laws. Thank you, sir.

[Applause]

SENATOR LEONE (27TH): So with that -- thank you everybody. So Mr. Chairman.

REP. LEMAR (96TH): I recognize a lot of folks are leaving now. We've got like a minute to get out. That way we don't interfere with the next group of panelists who are coming up.
And that would be Carolyn Edwards, Garry Lapidus and John Gavallas will join us next. We'll give a minute for people to clear out.

[Background noise]

REP. LEMAR (96TH): Good afternoon, we're gonna pull this back together now. If we could get the doors closed. Thank you very much.

And thank you each for joining us today and similarly, we want to command your willingness to engage in this conversation in a really constructive way rather than the three minutes, everyone repeating everyone else's comments and trying to add something new in the last five seconds.

We thought this was a more beneficial way for committee members to engage on this issue, to have substantive conversations with folks in a real back-and-forth sort of way and also provide the level of efficiency and expediency to the committee process.

So we thank you for your willingness to engage in this bit of an experiment in a public hearing. So we really do appreciate it. With that said, please feel free to go ahead.

CAROLYN EDWARDS: Members of the Transportation Committee, thank you for the opportunity to share my thoughts about House Bill 7140, AN ACT CONCERNING RECOMMENDATIONS BY THE DOT.

I'll be focusing on the portion of this bill regarding universal motorcycle helmet use.

My name is Carolyn Edwards, I drove a motorcycle ad my primary mode of transportation and I wore a
jacket, helmet and gloves every time I rode. As an EMT, I knew what could happen when you crashed without protective gear on.

You might notice I'm speaking in the past tense. On May 6th, 2014, my helmet was put to the test when I was involved in a life threatening motorcycle crash. A person turned left at a traffic light directly in front of me. My body hit the windshield of their vehicle and was thrown another 58 feet.

I spent 15 days at Hartford Hospital's ICU on a breathing and feeding tube. I spent another 42 days at Gaylord Hospital learning how to breathe and eat and so on, on my own again and recovering from other injuries. I survived, surprising everyone including my doctors. If it wasn't for my helmet, I would probably be dead or worse.

Everything about my life changed after the crash. I live with an invisible chronic injury that will affect me for the rest of my life. I stopped going to school, my prospects of becoming a nurse one day are unclear at best. I can't work the long hours I used to. When I'm really tired, I can't concentrate like I could before or if I'm really busy I can be forgetful and that means I can't be an EMT anymore either.

It doesn't always feel like it but I am one of the lucky ones. I got to go home to my family and friends. I have an amazing support system that raised enough money to cover most of my medical bills. I work full-time, I am independent. But if I wasn't wearing my helmet that day, I probably wouldn't even be here to share my story, let alone
speak, walk, talk, breathe or even swallow on my own.

Not everybody is so lucky because right now not everybody wears a helmet. Before my crash I chose to wear a helmet because it made sense but I still felt wearing a helmet should be the riders' choice. Since the crash, I realized how selfish that thinking is. A rider might not choose to wear a helmet but at whose expense? Safety is a shared responsibility. Motorcycle riders can prevent so much suffering, damage and unnecessary spending just by wearing a helmet.

As a motorcycle rider and a motorcycle crash survivor with a lifelong traumatic brain injury, I support Universal Helmet Law because I want every motorcycle rider to get the second chance at life that I was given.

Thank you.

GARRY LAPIIDUS: Good morning Senator Leone, Representative Lemar, members of the Transportation Committee. My name is Garry Lapidus and I direct the Injury Prevention Center at Hartford Hospital and Connecticut Shoals Medical Center. Both are Level 1 Trauma Centers, pediatric and adult.

I'm the Associate Professor of Pediatrics and Public Health at the UConn School of Medicine. I'm a Physician Assistant and I provide clinical care in our busy emergency department to sick and injured patients. I was also a member of Governor Lamont's Public Safety Transition Committee which strongly recommended passage of the Universal Motorcycle Helmet law.
We know a lot about this problem. We know the frequency, we know the severity and we know the cost in our state. We know that motorcycle riding is very popular. There are about 90,000 registered motorcycles in the state. We know from crash data collected in our Department of Transportation that there about 1100 motorcycle crashes each year involving 1300 persons.

Of those crashes, we know on average 47 motorcycle riders die each year, 250 are admitted to our hospitals, 1700 are treated and released in our emergency department.

There's a very, very big price tag to our state and that is $157 million dollars a year. That's medical cost and lost productivity. We are spending lots of money that could be spent elsewhere on treating injured motorcyclists who are not wearing helmets.

We know about the effectiveness of motorcycle helmets. We know it reduces the risk of death by 42 percent and head injury by 69 percent. We also know that our law in our state, our partial law is ineffective because it's difficult for the police to enforce the law.

When somebody's on a motorcycle going 30, 40, 50 miles per hour, they can't tell the age of the rider. What's the consequence of that? Fifty percent of our riders choose to wear a helmet. That's data from observations and that's data from police-reported crashes.

We also know the experience of other states. Nineteen other states require Universal Motorcycle Helmet law. Guess what happens. There's high
compliance, it's easy for the police to enforce. There's no burden on the police and we're gonna hear from our police chief of that.

So nearly all riders wear helmets. Guess what happens. Death rates go down, traumatic brain injuries go down. The death rate, and we have data on this, it's clear data. The death rate in the states that have a Universal Motorcycle Helmet law is 24 percent lower than in the 28 states that do not have a Universal Helmet Law. It's closer to home. We know what the experience is. Our neighbor to the north, Massachusetts, that has a Universal Helmet Last, their death rate -- motorcycle death rate -- is 65 percent lower. Our neighbor to the west, New York, is 78 percent lower.

Motorcycles helmets do help prevent deaths, protect families, save taxpayer money and most of all makes sense. I'm representing Heads First Connecticut. We are a broad and historic coalition of motorcycle safety advocates and we believe that helmets, when required for all riders save lives and will stop the tragic ripple effects to families, employers, taxpayers and communities.

This proposal is common sense and is opposed by only a small -- small vocal minority of riders who argue for their personal freedoms. At whose expense? Those of us who work in the hospital are left to deliver the excruciating life-altering news to loved ones. The families and the friends suffer. The grandfathers, the grandmothers, the fathers, the mothers, the brothers, the sisters suffer.
And our state is saddled with the crux of care -- $157 million dollars a year. Imagine what we can do with that money. It is estimated that a mild traumatic brain injury costs $85,000 dollars. A moderate traumatic injury almost $1 million dollars and a severe traumatic brain injury, $3 million dollars.

I've been practicing medicine as a Physician's Assistant for almost 40 years. I've taken care of many sick and injured people. We are very good at fixing broken arms and legs but if you have a traumatic brain injury, moderate or severe, this is a lifelong condition. You don't get fixed. You're on disability payments paid by Connecticut taxpayers for the rest of their lives.

There's also strong support for a Universal Helmet Law among riders and we have a rider here who will talk with you in a moment. We also know that there's broad support among our citizens consistently. An AAA poll asked Connecticut motorists, "Would you support universal head protection?" We have a super majority, 75 percent report that they would support this law.

So in conclusion, let's save lives, let's reduce traumatic brain injury and let's -- let's reap the benefits of reducing costs to our state with the Universal Motorcycle Helmet law.

I can't thank you enough for organizing this public hearing.

CHIEF JOHN GAVALLAS: Senator Leone, Representative Lemar, members of the Transportation Commission -- Committee. On behalf of the Connecticut Police
Chiefs Association, we appreciate the opportunity to share our thoughts on this important legislation.

My name is John Gavallas, I'm the Chief of Police in Watertown and the Chairman of the Connecticut Police Chiefs Traffic Safety Committee. I'm here today on behalf of the Connecticut Police Chiefs Association to give you our wholehearted support for raised bill 7140, a bill requiring all motorcycle riders to wear helmets.

As you are aware, there was a law in Connecticut requiring 16 and 17-year-olds to wear a helmet while riding a motorcycle. In addition to raised bill 7140, there was also a proposed bill 6161 requiring 18, 19 and 20-year-olds to wear a helmet while riding a motorcycle.

Since we require 16 and 17-year-olds to wear a helmet, does that mean the life of a 17-year-old is more valuable than the life of a 19-year-old? I think not.

In the event you pass raised bill 6161, requiring 18, 19 and 20-year-olds to wear a helmet, does that mean you value the life of a 20-year-old more than a 22-year-old? I think not.

The answer is simple. We value the lives of all motorcycle riders regardless of age. Our friends on the other side of this issue say let the rider decide. I ask you tonight at what cost?

We in law enforcement see the consequences of not wearing a helmet firsthand as do the emergency room physicians. Crashes involving un-helmeted riders often result in traumatic brain injury or death.
adding a lifelong impact on their loved ones or those left to care for the permanently injured.

From a law enforcement perspective, any partial law requiring 16 or 17-year-olds or 18, 19, or 20-year-olds poses a significant problem of enforcement. It's difficult to ascertain the age of a rider traveling at 30 or 40 miles an hour.

The Universal Helmet Law requiring all operators to wear a helmet is very easily enforced. The operator either has a helmet or he or she doesn't. In states that require motorcycle riders to wear a helmet, the compliance rate is in the upper 90 percent.

The police officer stopping the violator has discretion. He or she can issue a verbal warning, a written warning or a citation. Because of the challenge described above with the partial law now on the books, passing a universal helmet law will enable law enforcement not only to better protect our youth but to protect all others.

The latest AAA polling taken just last month showed 75 percent of Connecticut motorists support a uniform -- a universal helmet law. So let's join the 19 states that have uniform helmet laws. Together we can make a difference. Together we can save lives. If you have any questions, I'd be happy to answer them.

JULIE PETERS: Senator Leone, Representative Lemar and distinguished members of the Transportation Committee. Thank you for the opportunity to testify regarding H.B. 7140.
My name is Julie Peters and I'm the Executive Director of the Brain Injury Alliance of Connecticut. The Brain Injury Alliance serves thousands of Connecticut citizens and their families impacted by brain injuries every year as we have done for over 35 years. BIAC is in full support of this bill.

At BIAC we know all too well what happens when you sustain a brain injury. We have seen firsthand the devastation that a traumatic brain injury causes in peoples' lives. The only cure for a brain injury is prevention. Once you sustain a brain injury, there's no turning back, no second chances and no do-overs.

We support individuals who sustained a brain injury because they were not wearing a helmet while on a motorcycle. We hear the regret and agony in their voices and see the anguish on their family members' faces.

Brain injury is more than not being able to remember things or being confused. It is often about not being able to do daily tasks which once seemed automatic. Not being able to dress, bathe, toilet and feed oneself. Not being able to independently maintain a home, manage ones finances, shop and prepare ones meals. Being dependent on others for everyday tasks and in need of support for the rest of your life.

This is often the face of brain injury. Brain injuries can't be cured and they don't go away. It only takes a second for your life to change forever.
The evidence is clear that motorcycle helmets save lives and reduce brain injuries. You've been provided with that evidence. We also know that helmet laws increase helmet use. We've heard that when a universal helmet law is enacted, helmet use rates rise to nearly 100 percent because it's easily, as we've heard, seen if someone's not wearing a helmet.

And why should you care as stewards of public funds? Because the cost related to motorcycle crashes in Connecticut is estimated at $157 million dollars a year. The opponents of this measure say freedom of choice but in order to ensure public health, we have many laws on the books from mandating seatbelts to car seats to penalties for drinking and driving. These all restrict personal freedoms in some way.

When freedom of choice increases the financial burden on all of us, then the choice they are making is not just for them. The facts don't lie. Universal helmet laws save lives and save money and overwhelmingly Connecticut residents agree. Including motorcycle riders.

Please pass this bill including mandatory seatbelts for all passengers in a motor vehicle and helmets for all passengers on a motorcycle. You can be the courageous ones to listen to the facts and do what is best for Connecticut.

On behalf of all the families who have lost a loved one because of the absence of such a law and all the survivors of brain injuries whose lives have been changed forever, we thank you for helping to assure that both lives and money are saved in Connecticut.
Thank you.

PAUL SICILIANO: Senator Leone, Representative Lemar, members of the Transportation Committee, good afternoon.

My name's Paul Siciliano, I'm a nationally certified Motorcycle Safety Foundation Instructor and I've taught safety courses for the Connecticut Rider Education program for four years now. I'm proud to say I've taught more than 200 students per year the four years I've been here.

I'm also a motorcycle enthusiast and I'm a year-round daily rider. Contributing columnist to the motorcycle news website Ride Connecticut and Ride New England and a public speaker on safe riding.

And part of a group called Heads First Connecticut. Heads First Connecticut represents medical professionals, law enforcement, traffic safety advocates and most importantly, a diverse group of riders all whom support a universal helmet law.

Those riders have asked that I make clear that the CMRA does not speak for us. In fact, they do not speak for most of the riders in the state and the group certainly doesn't reflect the opinion of the general motoring public. Some of these people are here to support me today with a show of hands, if they would show. Please. Thank you.

The results of a poll done in January for the AAA Connecticut showed that nearly 75 percent of drivers support a helmet law. The exact breakdown was 74 percent in favor of a universal head protection and 26 percent were opposed.
Those opposed to helmet legislation say their personal freedoms are being taken away and that we already have too many laws. Some will even say they served the country and for that they are entitled to make that choice. But their choice comes at everyone else's expense. Family members of brain injury victims, first responders, doctors and nurses who treat the victims and taxpayers who ultimately must shoulder the expense.

I, too, served my country in the United States Marine Corps. I served in harm's way and never once was I trained or given an order to act in any way that was at the expense of others. If you were in harm's way, you were required to wear a helmet.

I should point out that on every military base in the country, in order to operate a motorcycle within the wire, helmets are mandatory. I know that is the case at the National Air Guard base located at the Bradley Airport because I have had the honor of teaching that course there to any students and many of our active duty military.

I submit that every rider faces danger every time they ride a motorcycle. The roadways have changed dramatically over the last few decades and not for the better. Drunk driving, drugged driving and of course distraction all put bikers at a greater risk than it used to do. Used to be.

In my decades of riding -- boy, I hate saying that, my decades of riding -- I've been struck by an automobile more than once. And a helmet has at the very least prevented brain injury on me.
I've also ridden with someone who lost their life as a result of not wearing a helmet and it changed my life as well as the lives of all who knew him. When you ride with another rider, if something happens, you become the first responder when it happens in front of you.

I ask you to support House Bill 7140, a law that has overwhelming public support because it saves lives, it saves families heartache and it saves taxpayers' money.

Thank you for your time, it was an honor to be here to speak to you.

SENATOR LEONE (27TH): Thank you for all five of your testimonies. Very important and in some cases very sobering news from a different point of view so very much appreciative.

I don't know about the year-long riding, though, that one threw me off but that just attests to the passion for this topic from both sides of --

PAUL SILICIANO: I rode here today, sir.

SENATOR LEONE (27TH): Wow, you're a better man than I. But thank you, this -- you know, I'll open up to debate and questions because, you know, we've heard from both sides. You heard from the previous speaker about asking the questions, the hard questions. You've actually answered some of those with some of the data that supported.

So, you know, we as a committee are listening to both sides and it does come down to the freedom of choice versus the cost benefits to society in general and that's something we've always had a
difficulty weighing because we are sensitive to both sides.

But I know I wouldn't wanna be the person treating someone when there could've been a way to prevent that from happening in the first place. But that's something that we're gonna have to deal with in debate amongst ourselves as well.

So let me open it up for any questions. Mr. Chairman.

REP. LEMAR (96TH): First I want -- again, I wanna say thank you for agreeing to this experiment in a public hearing. This is a little bit novel in how we've approached this topic. After this we'll have to try it again with another group and see if it works out as well as this one has.

But like I did with the Motorcycle Riders of Connecticut, I know a lot of folks agree to not testify knowing that you could cover so much of the area but have submitted a lot of testimony that is available on our public hearing website. There's a lot of statistical information, a lot of background and a lot of important information that you've included in that testimony in a written form. And I thank you for all of that.

For folks who are behind, again if you raise your hands if you're associated with this organization and the folks before us. I appreciate your willingness to help us identify these important issues for the committee. And we are deeply appreciative. And specifically to you, Carolyn, thank you for sharing your testimony and your experience. You have a different experience than
your fellow presenters here this morning and as a
commitee and Committee Chair, I deeply appreciate
your willingness to share that with us and provide a
personal story that I know is difficult for you. So
thank you again for that.

SENATOR LEONE (27TH): With that, Representative
Devlin followed by Representative Hwang.

REP. DEVLIN (134TH): Thank you, Mr. Chairman.
Thank you all for your testimony today. You shared
some very important and sobering information and
from all of your various backgrounds and appreciate
that perspective.

I wanna ask you some questions about this and I am,
I guess, a little big agnostic at this point but I
do understand the value of how much -- I have a son
who is a competitive athlete and was riding his bike
in a training at 32 miles an hour and was cut off by
a woman. And the first things the EMTs asked when
they arrived on the scene was, "How's your head?"

And he thought fine but he didn't realize the damage
that was done to the exterior of his helmet. So he
only sustained a broken collarbone, not a head
injury, but I appreciate the value of what it is
that you're talking about.

Also reflecting on the group who spoke before you, I
just wanna ask your perspective on a few things and
I'm not sure who to direct these to so whoever feels
best to answer them, that would be great.

I do get the point that one death is too many in
terms of an accident -- a motorcycle accident. But
is -- and we received some data out of UConn from
the group before that talks about the number of motorcycles registered, the number of motorcycle accident fatalities, the number of motorcycle accidents with injuries and the number of most serious motorcycle injuries with percentages of prior years, etcetera, and happy to give you a copy of this for your reference if you don't have one and it's certainly available online.

But what this data shows is essentially at a broad brush that the number of registered motorcycles in the state of Connecticut has increased pretty significantly over the past several years, going from maybe 64,000 in 2017 to 93,000 in -- or 2007 -- to 93,000 in 2017.

Yet the rate of accidents on a percentage has probably dropped in half. So is it your position that again, it's any -- any accident certainly resulting in brain injury is the issue one's too many or because what this shows is that with an increase with ridership it seems to be fewer accidents or accidents causing serious conditions.

GARRY LAPI: I'll take that one. That information is dead wrong. It's incorrect. Plain and simple. You can go on the -- on the Crash Data Repository, it's a public website, you could look at the data. There's been no reduction in the motorcycle crash rate. There's been no reduction in the number of people being killed or injured.

And that's one source. The other source is the hospital medical information that we collect. Anytime somebody comes into any of our hospitals, there's a medical record of that. Along with
anytime anybody comes into our emergency department, there's a medical record for that.

Our data, which is systematically collected and reviewed, does not show a reduction in this problem.

REP. DEVLIN (134TH): Okay, thank you for that.

GARRY LAPIUS: You're welcome.

REP. DEVLIN (134TH): Do you have a perspective on why some states reversed their laws?

GARRY LAPIUS: I do. It's because a small vocal, in some cases well organized, minority such as we saw earlier have put political pressure and overturned it to the detriment of the public good. That's the reason.

REP. DEVLIN (134TH): To your knowledge, do other states require the same kind of educational program that Connecticut does? For riders?

PAUL SILICIANO: I'm sorry, I -- I didn't hear that, I'm sorry.

REP. DEVLIN (134TH): That's okay, do other states, to your knowledge, require the same type of educational program for motorcycle riders that Connecticut does?

PAUL SILICIANO: It's not required by all states to get your motorcycle endorsement but it is -- it is offered and suggested in most all states.

REP. DEVLIN (134TH): Okay and the poll that you referenced by AAA, did that include car drivers and motorcycle drivers or both or one or the other? Was that -- what was that?
PAUL SILICIANO: They're AAA members so they're motorists. Now some of them may also --

UNKNOWN: Yeah.

PAUL SILICIANO: I'm sorry?

UNKNOWN: It's all drivers. We polled all drivers.

PAUL SILICIANO: All drivers, sorry.

REP. DEVLIN (134TH): Cars and motorcycles. AAA is behind it and I think you'll have a chance to come up here, too. Okay, great. And then my last question for you is do you see brain injury with helmet use?

JULIE PETERS: You certainly do. You still see it with helmet use but as we've heard, the extensive nature of it is likely, you know, you're at least surviving. You're surviving and you may still have a brain injury with the helmet but you're much less likely to survive or -- or sustain the significant brain injury. Every brain injury's different, you can't -- there's no way to compare them in any way. But we do know that a helmet reduces the -- death.

REP. DEVLIN (134TH): Thank you.

GARRY LAPI DUS: And we see that experience also in the emergency department. It's all about energy and injury. And when you're going 30, 40, 50 miles an hour and for whatever reason you lose control or you're struck by another vehicle and your head hits something hard whether it be the roadway or another vehicle, all that energy is impacted to your head.

Now we have hard skulls that can absorb some energy but certainly cannot sustain and protect our brain
with the kind of forces that we're talking about here. And if you have a hard helmet on, you're gonna be much less likely to have a traumatic brain injury. The helmet will be damaged and cracked but the brain is more likely to survive intact.

REP. DEVLIN (134TH): Thank you.

GARRY LAPI DUS: You're welcome.

REP. DEVLIN (134TH): And thanks to all of you for your [crosstalk].

PAUL SILICIANO: Representative, with your mentioning of that Connecticut document that they presented, DOT will be working with you trying to present something to you with regards to that.

REP. DEVLIN (134TH): Thank you. Look forward to receiving that. Thank you.

SENATOR LEONE (27TH): Thank you, various good questions. To Representative Perone.

REP. PERONE (137TH): Thank you very much. I guess this is a question for the Chief of Police Mr. Gavallas.

The -- I'm trying to get a better understanding because, you know, it was said by you all that there's 90,000 registered motorcycle riders in Connecticut.

If -- I probably in the last three years, maybe ever seen one in my rearview mirror. So what I'm saying is I'm trying to get a better understanding of the, you know, crash incidents reports, you know, how many accidents are caused by vehicles versus say --
you know or versus motorcycle riders that have -- you know, in terms of fault.

Because I'm thinking that part of this discussion, I think, has to be expanded to include education for -- for car drivers. I think there's, for lack of a better term, a blind spot here because this -- I think that they could be -- folks could be well served by that.

I'm just wondering if you can comment on that.

CHIEF JOHN GAVALLAS: Well, I would say I think the majority of motorcycle operators practice safe driving habits. However, you can't prevent a vehicle from making a sudden lane change in front of a motorcycle and turning in front of a motorcycle and causing an accident.

And as far as the data, I don't have a lot of data to show whether the motorcycle's at fault or the automotive, which it is. But certainly there's a significant number of motorcycle accidents where the motorcycle operator is practicing safe driving habits and the accident simply is not their fault.

REP. PERONE (137TH): Okay, all right. Thank you very much.

CHIEF JOHN GAVALLAS: Thank you.

SENATOR LEONE (27TH): Are there any other questions? Yep, Mr. Chairman.

REP. LEMAR (96TH): Just a quick note of reference to the statistics that have been off referenced. It is not the number of registered motorcyclists in Connecticut, it is the number of registered
motorcycles. And so I think that that is an important distinction. We're not talking about stats of one injury per driver, there are motorcycles that are registered and maybe in many cases two, three, four per family but there may be only one or two motorcycle eligible drivers in that family.

So it's not necessarily one for one statistic that we're referencing when we make the points about the number of motorcycles that are registered in Connecticut now versus 1982. There's numerous studies that suggest that unlike 1982, more motorcycles are owned by each individual registered and licensed motorcyclists than there were back in 1982.

So I hope that provides some statistical clarity in some of the numbers that are oft referenced but are in some ways not measuring the true relationship between riders and motorcycles.

Thank you.

SENATOR LEONE (27TH): With no other questions, thank you very much to all five of you for your testimony. It was very helpful.

Next up is we have some members from the car dealers coming up as a group. And the folks that are trying to leave --

REP. LEMAR (96TH): If the folks are trying to leave, we'll give you like 30 seconds to clear out and then we have a next group of folks who are testifying on behalf of the car dealer group which
is Chip Gengras, Yvette Sanchez, Elliot Matos and Erin Toupençe.

[Background conversations and noise]

SENATOR LEONE (27TH): So we have a bunch of moving seats behind you sort of to provide some time for our folks to get established.

Again, we wanna thank you for similarly engaging in a different type of public hearing today where we're allowing folks to sign up, submit testimony, show support for an issue but if -- when possible, to find ways to consolidate the testimony amongst a few individuals who can represent that issue well.

So we thank you again for engaging in this conversation trying to make sure that we're acting with expediency and efficiency but really getting into the heart of the details of the bills that are on our public hearing agenda today. So thank you each for coming here today.

To highlight again, there are four committee meetings that are taking place at the same exact time across the building. You will see members come in and out and I'm thankful to be joined but a large number of our Transportation Committee members for your presentation. You'll be followed similarly from folks from Tesla who wish to argue on the opposite side of you.

So we're gonna try to engage in this conversation in as constructive way as possible but ensuring that we have a full public hearing on this bill and hear fully, we wanna give you more than the traditional
three minutes because you've agreed to consolidate a broader set of testimonies.

So thank you again and it's good to see you again.

UNKNOWN: Nice to see you, thank you very much.

YVETTE SANCHEZ: Good afternoon, Senator Leone, Representative Lemar, Senator Martin, Representative Devlin and members of the Transportation Committee.

My name is Yvette Sanchez. I am the Comptroller for Gengras Motor Cars in East Hartford and I am a Hartford resident. I started with Gengras 13 years ago as a billing clerk and through hard work and opportunity, I'm now in upper level management.

On behalf of my 300 colleagues at Gengras and members of the Connecticut Auto Retailers Association, I'm here to speak -- I'm here today to speak in opposition to H.B. 7142, AN ACT CONCERNING THE LICENSING OF NEW AND USED CAR DEALERS.

The 270 new dealerships throughout Connecticut offer good high paying jobs to over 14,000 employees. Gengras Motors and Connecticut's new car dealers offer competitive salaries, benefits and job training.

The direct sale model that Tesla would have you grant them outsources many of these jobs. On the other hand, the employees at Gengras and CARA's members would work and live locally. CARA dealerships have a combined payroll of $880 million dollars.

The auto retailers also contribute to the local economy through the property taxes they pay on their
locally owned auto dealerships. CARA dealerships pay $310 million dollars in state and local income tax.

In 2018, auto sales totaled $10 billion dollars in Connecticut. This is 17 percent of total retail sales in the state.

The direct sale model that Tesla wants to bring to Connecticut would, in fact, outsource many of these jobs and limit extra revenue potential for towns and state. Additionally, unlike the local owned stores under the dealership model of existing law, the Tesla direct sale model stores are not owned but leased property in towns or in malls for display purposes only.

Under the existing dealership law -- under the existing dealership model and law, all the stores by design encompass large service facilities, body shops and auto and parts inventory square footage. So the property tax bills the dealerships pay is far greater than what Tesla pays.

Contrast this to a typical Tesla store, a small rented boutique space in an existing retail building as with the illegal Tesla Gallery on Greenwich Avenue in Greenwich or its Mount Kisco, New York, store as opposed to the recently completed by Gengras Volvo store in North Haven, for example, that added millions of dollars to the town's grand list, all taxable to the city.

Dealerships locally employ 53 people per store. This is a stark contrast to Tesla which outsources services and administrative jobs, therefore
employment only an average of only ten people per store as they do in Greenwich.

It is important to understand Tesla's outsourcing of jobs causes headaches for owners of Teslas who must wait months for parts for repairs as noted in a recent Wall Street Journal article.

BMW and Tesla are now selling about the same number of vehicles per year. BMW has three (sic) service locations versus Tesla with barely 100. Clearly, they can't service consumers. Service facilities are vitally important for such critical matters as safety recalls, warranty work and locally sourced parts and services.

The direct sell model will result in job losses at the dealerships as jobs are exported overseas of out of state. The jobs that come with a dealer will not be seen in a Tesla shop. CARA estimates that 10 percent of the existing 14,000 people in our state employed by dealerships would lose their job if a direct sale exemption is placed into law.

A misconception that Tesla keeps spreading is about the losses of sales tax to Connecticut when a Connecticut resident purchases a Tesla. Under both Connecticut and New York state law, if a Connecticut consumer buys a car at the Tesla Mount Kisco store, the consumer, if a resident of the state of Connecticut will pay sales tax in Connecticut when the vehicle is registered.

Tesla even testified in court that the place of taxation have not determined the place of sale. Vehicle purchasers always pay sales tax where they register their cars regardless of place of sale.
Once again, we cannot understand why the legislature would consider special treatment for this company when they can sell in Connecticut today under laws that exist and that the other manufacturers need to comply with.

Thank you for your time. I encourage you to vote no on H.B. 7142. Thank you.

ELLIOIT MATOS: Good afternoon, Senator Leone, Representative Lemar, Senator Martin, Representative Devlin and members of the Transportation Committee.

My experience is very similar to Yvette. My name is Elliot Matos and I work for the Hoffman Motor Group. I've been there for going on 20 years. I'm also a member of the -- I'm also the President of the New England Service Managers for Audi as well as I set as chair of the National Board for Audi of America.

My experience with -- I'm here today to speak in opposition to H.B. 7142 strictly from a consumer standpoint. I do so on behalf of my customers who rely on locally owned stores with locally based professionally staffed service facilities and fully-stocked parts departments for quick and immediate service, maintenance or any warranty work.

The highly skilled technicians that work at our dealerships are trained to work on different cars that are sold including electric cars. The 270 Connecticut dealers have many thousands of expert technicians in over 400 local service facilities attached to our dealerships with thousands and thousands of service bays, locally stocked parts, on site parts for replacement and fixes.
We work diligently to make sure the manufacturers provide the repair protocols and cover the cost of any recalls and warranty issues. We ensure our customers receive warranty work, lemon law assistance if needed, repair service -- anything that the customer's entitled to. So this is really a lot about the consumer.

I understand why Tesla wants to authorize the manufacturer owned stores in this bill. To be clear, this isn't us saying that we don't need more electric vehicles. We clearly do. That's not what we're here today to speak on. All of our manufacturers, in speaking to my colleagues, have found that our manufacturers have committed billions of dollars and Audi, as an example, has committed over $6 billion dollars of funds to commit to making our electric vehicles, our fleet, almost 50 percent or greater electric vehicles in the next five to seven years.

So I understand why Tesla wants you to authorize this. Is it good -- is it good for Connecticut? No. It's good for the bottom line at Tesla. It's not good for the consumer, it's not good for your constituents. This bill allows Tesla to set up out-of-state and out-of-region repair and parts storage facilities.

The service model is less costly for Tesla because unlike my service facility, direct sell service facilities don't keep parts in inventory, immediate -- for immediate on-site repairs. There are only storefronts where the cars are sold.
Consumers will bear the cost of inconvenience waiting days, I'm sure you've all heard the horror stories recently because Consumer Report decided to take their recommendation of Tesla off. One that they had recommended for years.

The dealerships provide chargers for electric vehicles. Universal chargers. Fourteen percent of the electric -- 15 percent, I'm sorry -- of the electric chargers in Connecticut are all installed in auto dealers throughout the hundreds of auto dealers in Connecticut.

Consumers can mostly at no charge, 90 percent of them are free. They can charge their electric vehicles at our facilities. They can do this at any one of the millions of dollars that we've invested as dealers to install the infrastructure that it requires to support electric vehicles. Tesla, on the other hand, has chosen to make their chargers proprietary only to Tesla vehicles whereas with our chargers, you could charge your Tesla as well as any other vehicle.

Again, my opposition to this bill speaks directly to the fact that they're looking for an exception to do something that -- to avert laws that we have to abide by day-to-day. These are things that we have to live with and well attested successful business practices that dealerships in Connecticut have taken on.

Thank you so much. If you have any questions, I'll be glad to address any of those.

ERIN Toupense: Good afternoon, Senator Leone, Representative Lemar, Senator Martin, Representative
Devlin and members of the Transportation Committee. My name is Erin Touponse and I'm the Director of Communications for the Harte Auto Group.

I'm here today to speak in opposition of House Bill 7142. I started working for Harte in 2003. We're family owned and operated. We've been in business since 1951 and we're in our third generation of Hartes.

We have locations in Meriden, Wallingford, Hartford, West Haven. Over the past five years we've invested $6 million dollars into a new building in Wallingford. We've invested about $2 million dollars in solar and we take pride in knowing that it's not just our close to 400 employees that we support but it's also their families. It's their children, it's their spouses, it's their extended families.

In December, I read an article in the Hartford Courant titled, Connecticut Judge Tells Tesla -- Says Tesla Illegally Sold Cars from its Greenwich Gallery.

And it reports how our own DMV and now the Superior Court has found Tesla flagrantly ignoring our laws. Being found to be illegally selling vehicles out of that licensed -- out of that location without a license and all while trying to change the laws so that they can continue to do so legally.

This is a flagrant disregard for our laws and it seems like the height of corporate arrogance.

Attached to my testimony I have shared that Hartford Courant article along with a couple other headlines
that have quite honestly given me pause about Tesla over the last couple weeks.

I urge you to read these from many of the nation's most reputable media sources and ask yourself is this the kind of company located in the state of California that you, as our elected officials, would like to extend special privilege to and special exemptions from? In particular, with regards to some regulatory -- direct in-state regulatory jurisdiction of say the CHRO, the Department of Labor, the Department of Consumer Protection's lemon law and advertising rules as well as other state agencies that protect our citizens, our employees, and our consumers from abuse.

In this day and age it's disconcerting and shocking to hear reports of abuse coming from a company -- from a company's workers. It's even more upsetting to hear statements from that company's Director, Chairman of the Board, that he doesn't have any respect for regulatory agencies at all.

You know, as management, I understand the implications when a dealer has to lay off staff. Has to cut back on staff. I understand the importance of maintaining a happy, well-adjusted workforce that's inclusive and based on mutual respect. And I am the Employee and Customer Advocate for my auto group so I also understand that franchise rules and laws not only protect the dealer but they protect consumers and they protect employees as well.

What I don't understand is why we would tolerate a company who has maintained a blatant disregard for
their employees, for government, for consumers and then consider affording them special treatment. What I don't understand is why we would -- Connecticut would even consider affording special treatment to an organization that has already broken our laws.

So I mean I have to say, with the utmost respect for our laws and for my fellow employees that, you know, I represent, and for the dealers that are part of this group and for the Connecticut, the second largest, you know, employer in the state.

You know, I would urge you not to pass this bill, H.G. 7142 for the licensing of new and used car dealers.

Thank you.

CHIP GENGRA: Good afternoon. Thank you very much, Senator Leone, Representative Lemar, Senator Martin, Representative Devlin and members of the Committee.

My name is Chip Gengras, I am President of Gengras Motor Cars. My brother and I operate a third-generation family business. My grandfather started in this city in 1937 and we have been investing in people and properties and product in our community since 1937.

We represent a number of locations in East Hartford, in North Haven. We have over 300 employees in the state of Connecticut and my payroll of those employees is north of $22 million dollars a year.

I'm here on behalf of my fellow retailers. I am a member of Connecticut Automotive Retailers Association as well. The 270 members of our
association are not here to raise their hands but I can assure you they are with us in support and they are working at their stores.

I'm here to speak in opposition of H.B. 7142, AN ACT CONCERNING LICENSING OF NEW AND USED CAR DEALERS.

The bill undermines our state law. It is not about the name of the company that is trying to undermine that state law whether it's Tesla or someone else. It will not only allow special treatment for Tesla but it opens up the door for special treatment for any manufacturer in this country, in the state or overseas.

I'm not sure how many of you saw 60 Minutes last night. There are 100 electric manufacturers of cars in China right now. One hundred. All trying to change the landscape in China. Which is fantastic. They're doing that with a lot of government subsidies and if they had their way, they would certainly like to sell cars in the United States. The two biggest markets for cars are China and United States.

By ignoring the law and making a loophole for one company, it opens the door for two, ten, 20, 50, 100. Really hard to regulate. Not only by you as a state but also the quality and the end product for the consumer.

One of the arguments that I've heard over the last four years, because we've been doing this for four years, is that auto retailers don't know how to sell electric vehicles which is ridiculous. We are in the retail business. My grandfather sold bottled gas from door-to-door. My father sold clothes at
Henry Miller. We are in retail, that's what we do. Doesn't matter what the product is. If we believe in it, we support it and we sell it.

We represent retailers that sell over 44 different EVs in Connecticut right now. The majority of EVs sold in the state of Connecticut are sold by retailers. Licensed by the state of Connecticut.

I've also heard Tesla say, "Well, the business for models better." They have a non-negotiation model. You can do your financing online. You can order the car online. You can do that on all of our retailers, too. There are many retailers who choose that business model because they think the consumer is attracted to it.

But those retailers follow the state law. Tesla would not. My colleagues up here spoke about the number of people that each Tesla store has. I know many states where they have Tesla stores and those are the numbers. It's not labor-intensive. Most of the facilities happy to move just to show you the car. Not service it, not answer your questions, not be in your grocery store on a Sunday when you run into one of your customers that says, "I have a problem. Can you help me?"

CARA has worked with the state of Connecticut to develop our cheaper program. We want more electric vehicles. We did that in May of 2015 and in 2017 we sold more EVs than ever before. We hope that continues, we spoke about that in your office.

Unlike just a few years ago, now we have over 44, as I said, models for sale. I was also the Chairman of the Advisory Board for Volvo cars retailer network
which represents over 320 retailers across this
country.

We worked with that manufacturer to come up with a
solution for selling EVs into this country. By
2019, Volvo, a relatively small manufacturer will
offer every model in their lineup electric. By
2025, 50 percent of all Volvos sold in the world,
which will be about one million, will be electric
vehicles. Every manufacturer is on this bandwagon.
Every single one. Because it's the right thing to
do. Consumers are talking about it.

Tesla should sell cars in Connecticut under a
franchise agreement just like everyone else.
There's no reason to make special exceptions for a
company like Tesla or NIO from China or one of the
other 99 that were mentioned or not mentioned last
night on 60 Minutes. There's just no reason for it.
We've got a law, we've got a system to deliver
customer care vehicles in the state of Connecticut.

I urge you to oppose and happy to answer any
questions.

REP. LEMAR (96TH): Thank you each for your
testimony today and I know there's the four of you
up here but we also know working through you -- I
don't see Linda back here, Linda Kowalski and Jim
Fleming. You could've packed this room with
hundreds more folks.

We appreciate your willingness to engage in this
more constructive conversation, we feel, where
instead of being three minutes and everyone
repeating everyone, we can have a broader
conversation with committee members.
But still hear from people via public hearing testimony they may have submitted or through testimony that they may have delivered in person.

So we do appreciate your willingness to engage in this and we know that means you're more on the hot seat than you otherwise might have been and there'll be more questions directed towards you individually.

And I also wanna thank you, each of you represents an organization that has placed significant investment in our state and we do deeply respect your commitment and investment in the state of Connecticut. So thank you all for that and thank you all for great testimony.

With that, there's quite a bit of folks who wanna ask questions at this point so I'm gonna turn it over and starting with my ranking member Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you to all of you for your testimony and I've been reviewing your testimony at the same time that I was listening to it and making some notes. So I appreciate you all being here.

Just to kind of -- for clarification purposes -- you're not at all opposed to selling Tesla cars or having Tesla cars sold in the state of Connecticut. The issue is around how those vehicles would be sold within the state.

CHIP GENGRAS: Correct. We believe -- the association believes that there is a franchise model in the state of Connecticut and if someone wants to come in and sell a product, whatever it might be,
that they need to follow the same rules as the other retailers have been following for 100-plus years in the state.

REP. DEVLIN (134TH): So for everybody's benefit, mine include, would you give us a snapshot of what the -- sort of franchise agreement is. What those rules are in the state of Connecticut currently.

CHIP GENGRAS: I think it's a rather large document that I wouldn't be able to recount all of them but there are stipulations around facilities ability to repair the vehicle onsite, I believe, as well as sell it. Many of the stipulations in the agreement are to support the consumer advocacy of a retailer but I by no means understand or have in the back of my head every single thing that's written in that agreement.

REP. DEVLIN (134TH): Sure. Part of what some of you talked about was the ability to be able to service Tesla vehicles which I think is based on sort of their business model, too, right? So my limited understanding is that if I owned a Tesla vehicle I would plug it into something at home in my garage and if there were technological updates or something that would happen, that would kind of all happen automatically.

But then if -- I don't know what would happen if my vehicle was in an accident.

CHIP GENGRAS: Let me -- those are two very diverse things.

REP. DEVLIN (134TH): Okay.
CHIP GENGRAS: So imagine that you woke up this morning and a tail light was out and you were on your way to work and a policeman pulled you over and said, "Your light's out, you need to fix it." "Okay, well, I apologize." That's not something that you're gonna fix with a software download. That's something that you're gonna have to go find someone who has that part and a tail light's not as easy as it was in the 70s or 80s where you can just open the trunk, remove the cover and put it in. Sometimes you have to remove the whole assembly which requires time, tools and expense. Which on an Audi, I'm sure the headlight is quite difficult to do.

So I understand there are technological upgrades and software downloads on all of our cars which we can fix with a phone or a wi-fi.

REP. DEVLIN (134TH): I guess that's true.

CHIP GENGRAS: That's true. It's called Telemax [phonetic]. That many things that consumers roll out on a daily basis -- a tail light or others -- if that goes wrong and there's not the Tesla facility with a service facility locally nearby, what is that consumer to do?

Cicada had an airbag recall which was in many different cars and your vehicle was unsafe to drive. Retailers have units on the ground, they work on behalf of the consumer with the manufacturer to say, "Representative Devlin needs a car. Help me help her." We put you in a car because you're terrified of that airbag blowing up.
If that happened in Tesla, you're in luck. There's -- you can send an email, you can drive to another state possibly. But this requires an investment both of people, town, technology and solutions to take care of a consumer. Cars are complicated things and I think they have a wonderful model and there's great choices out there. But it's not plug-and-play and click-and-solve.

REP. DEVLIN (134TH): So to the more simple example that you gave of a tail light.

CHIP GENGARAS: Yep.

REP. DEVLIN (134TH): There are alternatives to dealers' service, right? There's auto repair places all over the place. Would they service a Tesla vehicle?

CHIP GENGARAS: Do you wanna take that?

ELLIOT MATOS: The issue with the Tesla vehicle for service is parts availability. In Connecticut, if you -- there's an infrastructure of dealers everywhere that if you have a problem as -- as simple as that -- you could readily obtain the part anywhere, at any one of the service facilities whether it's a dealership or not.

With Tesla that's a whole different issue. They've made it so that everything is so proprietary you have to go through Tesla.

One of the -- one of the things that people -- something that you alluded to earlier was like "I plug it in and it's all done electronically". That's a wonderful opportunity to address something that people -- there's a common misconception that
it's an electronic piece of equipment, it won't go bad. Because it's all electronic so it won't go bad.

When was the last time you went to the Apple store? Do you think there's phones there that don't go bad? There's a whole industry called IT that was created because our computers, which are electronic, go bad. I mean they do go bad and if you think that a mechanical problem is hard to deal with, think about how hard an electronic problem it is to deal with and the expertise that it takes.

We spend millions and millions of dollars in training our technicians to work on EV vehicles. But guess what. We're not allowed to because we can't even obtain parts from Tesla. If you purchase a Tesla four years ago and were ready to go into the market now and decided to trade your vehicle in to one of our dealerships, what dealership would take it? We can't service the car to recondition it to put it back on the road. We can't.

So we're leaving all of those consumers stranded. They can only go back to Tesla and a world where in four years from now, every manufacturer will have dozens and dozens of models of electric vehicles to choose from. That's better for our consumers. That's better for our constituents. That's a business model that works.

But to make a -- to make an exception for someone to basically side skirt the rules to their benefit and not to the benefit of our consumers and constituents, it just doesn't make any sense.
REP. DEVLIN (134TH): Right. Thank you for answering my questions, I may have more as the discussion goes along.

YVETTE SANCHEZ: If I could add on that franchise question. Part of my job is I'm a Consumer Advocate for our customers. And there have been many occasions where I have had to go to bat with our manufacturers with our OEMs and argue with them about why a customer should have either a car replaced. Without that level, I think that a consumer would have a very difficult time trying to get a company who it's a direct expense to them.

Warranty work is also another large issue where I'll advocate, you know, we need to do this job. Well, it's ten miles outside of the warranty. But yes, I understand it's ten miles outside of the warranty but this has been a very loyal customer, we need to take care of this -- a component that's broken down.

And I think without our advocacy, you know, if you go to a lemon law case, dealers tend to sit with the customer. On the side of the customer across the table from the manufacturer and that's not because we're adversarial with the manufacturer, it's because we have a vested interest in taking care of our customers.

REP. DEVLIN (134TH): Right. Thank you. Thank you for that.

REP. LEMAR (96TH): Thank you. We have Senator Martin, Representative Steinberg, Representative Lavielle and I'm batting cleanup at the end so if you have -- if folks have other questions, let me know as well.
SENATOR MARTIN (31ST): Thank you, Mr. Chair. So I heard your testimony regarding property tax. So currently do you pay property tax on your inventory? Your parts, I guess, and your vehicles?

CHIP GENGRAS: The vehicles, if we register them we pay property tax. What many people don't know is the vehicles we have for sale on our lots for consumers to come look and test drive, most dealers have those financed with a bank and those are -- we pay interest on those every single solitary day.

If we register a vehicle, we pay property tax on it but until we register it, we do not.

SENATOR MARTIN (31ST): Until you register. And is that the same with the parts? So do you purchase the parts and those are -- you do pay property tax on the parts?

CHIP GENGRAS: We wouldn't pay property tax on parts.

SENATOR MARTIN (31ST): You would not.

CHIP GENGRAS: No, we have a resale certificate and when we sell a part the consumer pays the sales tax.

SENATOR MARTIN (31ST): Okay. So I've been on the committee for four years. And this is my fifth year. And I remember the conversation going back four years ago and the testimony back then was the dealerships at one time years ago that manufacturers sold directly to the consumers and then we had, you know, we had consumer complaints and out of that evolved dealership franchise model.
Can you take us down that path a little bit or explain to us what happened and I'm sure that's why you're advocating today is, you know, we can't change this model because of that.

CHIP GENGRAS: Imagine one person holding all the purse strings and deciding how much money they wanted to spend on research and investment, manufacturing, distribution and then warranty and customer care.

I think the franchise system provides an opportunity for a retailer product -- in this case an automobile -- to advocate on behalf of that consumer. Retail is local by nature.

Now granted we have the Amazons of the world but this is second to a home, the most important purchase in someone's life. They will ride on a daily basis.

So the retailer is there to support -- it's a manufactured product, there are less components in an electric vehicle whether it's BMW or Chevrolet or Tesla -- than there are in a non-electric vehicle. So the likelihood of repair goes down which is great for everyone.

But things still break. And the retail model is the manufacturer's ally and outpost to take care of that consumer. In our business, it is a ten and 20 year investment timeline in our facilities. We mentioned -- you mentioned the HARTE invested $6 million dollars. That's not on a whim. You make these investments in property and in people and in advertising in communities because there are rules that you expect others to follow.
If you upend and change the rules and create a loophole for one, there are decades and generations of people who've been following certain rules. And that investment just goes by the wayside. And you know, a relatively modest retailer decides with 300 employees but if my state is not gonna adhere to the rules and make loopholes, I'm gonna change my business model. I'm gonna shrink the number of people I have. I'm gonna change, you know, a marketing ideal. I'm gonna look at every possible way to make my business smaller and the consumer will lose. I would imagine many of my colleagues would do the same.

SENATOR MARTIN (31ST): So Tesla claims that its cars and -- its cars and the EV cars that they're selling -- is, I guess, little maintenance. I find it, and there's only, did I hear correctly that there's only 100 service stations throughout the country?

Are there any here in Connecticut currently?

ELLIOT MATOS: I believe there's one in Milford, Connecticut. I believe.

CHIP GENGRRAS: There's one in Milford. I -- I guess, you know, I'm envisioning something similar to, you know, the recall for the airbags. And how do you do that if -- how do you do that with only one service station in the -- in Connecticut?

SENATOR MARTIN (31ST): I would imagine there would be more but how many service -- I guess how many vehicles do you service?
CHIP GENGRAS: We sell about 6,000 units a year and we service probably close to 28,000 customer visits a year. The smaller issues tend to be the bigger problems. So to your -- your first question, there are less components in an electrical vehicle. And so when I sat as the Retail Advisory Chair for Volvo for four years, one of the exciting things about being in this business is if you can make a product that breaks down less, everyone wins.

REP. MARTIN (31ST): That's great.

CHIP GENGRAS: You should support that. If you can make a product that's more environmentally friendly, fantastic. But if you don't have the infrastructure to support what the consumer wants or needs, that's a challenge.

And four years ago, Tesla was the shiny new electric vehicle, that's great. Now everyone makes them. And what we're starting to learn is making cars are hard and I'm sure Tesla does a nice job making cars. And so does BMW and Porsche and Audi and everyone else.

But you're gonna have manufacturing challenges whether it's you try to rush to meet a quota or all of a sudden the budget's not there, you're gonna cut a corner and when that happens, it ends up in the product and the product is in the garage or the driveway of a consumer. And who's gonna be the advocate of that consumer that you see at the movie theater, that you see in the supermarket, that you go to see your child's soccer game with. That's the leverage, that's the benefit of having community retailers.
And that's not in any law but it's just -- that's a benefit and that goes away if you allow direct sales.

If you think back to that hoverboard that came out a couple years ago from China that you stand on and most people wiped out on, they had a recall before it even got sold. And if you got one, you were -- you were not in good shape. You couldn't return it, no one could fix it and you'd spent $300 or $400 bucks and that's just the way it was.

SENATOR MARTIN (31ST): So what is the current market share of EV vehicles today?

CHIP GENGRAS: I think it's less than one percent. I don't know off the top of my head.

SENATOR MARTIN (31ST): And that includes Connecticut as well?

CHIP GENGRAS: I don't have that -- I don't know that number. I know that the goal of Audi, which we put out on the news yesterday. Volvo has come out publically and said that by 2025 they want 50 percent of their cars sold in the world to be EVs. And those are two -- Audi is a huge manufacturer, it's one of the biggest seller of Volkswagen Audi. Volvo is a Niche brand. But if you have that type of commitment from those types of manufacturers, great.

And those manufacturers are doing that with the support and in collaboration with their retailer partners. They've tried to sell direct in the past. Ford tried to do it here in Connecticut. Not subvert the law but have someone from the factory
fun a store. Cut costs and see if they could do it better. They can't. If you don't focus on the consumer, the end consumer, it doesn't last long.

SENATOR MARTIN (31ST): Just one last question. How would the Tesla, the model itself, create I guess an unfair competitiveness with your local dealers?

CHIP GENGRAS: The model itself, the product would not. If you allow a carve-out or a loophole for a sales, a direct sales model and you basically render the franchise model not valid. That would not be good. That would cause every retailer to then think about how he or she was gonna operate their business knowing that they couldn't rely on their state to uphold the franchise laws that they've invested in, sometimes over multi-generations, to support their clients.

And then I think what would happen is one of the hundred manufacturers that was on 60 Minutes last night would say, "Great moves. Let's send", whatever it's called, Tic-Tac, "and we'll send that one. And we'll send it direct."

And then there's gonna be a thousand Tic-Tacs all over Connecticut and people are really excited about it until all of a sudden something goes wrong. And then what are you gonna do about it? Then they're gonna call their senator, their representative, saying, "I bought this thing. I'm all for EVs but now I've got a big problem and I don't know what to do and I spent $40,000 bucks on it."

It just doesn't make sense to me. I get what they're trying to do, it's really good for Tesla.
It's really good but it -- I don't think it's good for anybody else.

SENATOR MARTIN (31ST): Okay. Thank you.

CHIP GENGARAS: You're welcome.

SENATOR MARTIN (31ST): Thank you, Mr. Chair.

REP. LEMAR (96TH): Representative Steinberg followed by Representative Lavielle.

REP. STEINBERG (136TH): Thank you, Mr. Chair and thank you for coming here to provide your testimony today. Could you just tell me, how many models of these are you currently selling to the public?

CHIP GENGARAS: I believe it's 44.

REP. STEINBERG (136TH): You have 44 models and what are your annual sales?

CHIP GENGARAS: My personally -- we don't have 44, but the retailers in Connecticut, the 270 retail, of the models they sell, 44 of those are EVs.

REP. STEINBERG (136TH): Let's back up a step.

CHIP GENGARAS: Sure.

REP. STEINBERG (136TH): Your franchise, how many EV models do you have?

CHIP GENGARAS: I believe five.

REP. STEINBERG (136TH): And how many do you sell annually?

CHIP GENGARAS: I would say it's probably new, it's probably under 150.
REP. STEINBERG (136TH): And how many employees do you have to support your EV models?

CHIP GENGARAS: Three hundred.

REP. STEINBERG (136TH): And how many of them are dedicated to service and managing EV batteries?

CHIP GENGARAS: So one of the great things about manufacturers is they require each facility to have all the necessary equipment and all the necessary training for anything that could possibly go wrong on that EV which is a tremendous burden but also a really important thing for the consumer.

So each one of our facilities, there's BMW, Marlboro Chevrolet -- has trained and qualified technicians, the parts available and the tools and equipment to solve those problems even though we don't even use them but maybe once a year, once every three years, we've got to spend tens of thousands of dollars so each facility is equipped with the people, the tools and the resources to take care of their EV clients.

REP. STEINBERG (136TH): More specific, of the 300, roughly what percentage of them are dedicated to service particularly the battery part of the EVs?

CHIP GENGARAS: You'd have to look at our technicians -- 300 is sales, service, HR, IT -- so I couldn't give you the number off the top of my head.

REP. STEINBERG (136TH): It's a number that's relevant, I'd be very appreciative if you could supply that.

CHIP GENGARAS: Sure, I'd be happy to get back to you.
REP. STEINBERG (136TH): That leads me to my second question. A very important part of what you've been telling us today and in past years has related to the prospect of loss of -- loss of jobs.

CHIP GENGRA: Sure.

REP. STEINBERG (136TH): You talk a lot about outsourcing. Could you give me the data with regard to the nationwide loss of jobs? How many tens of thousands have occurred for all the states that have live direct sales?

CHIP GENGRA: I can't give you data for any other state but I could tell that I would do -- and I could tell you jobs that exist in our facility that don't exist in any Tesla store in the country are local IT, HR, accounting, reconditioning. Those would not exist and I came up here with a vet a year ago, two years ago, three years before that with about 30 of our employees that work here in East Hartford. These jobs would not exist in a Tesla location. Period, end of statement.

So I can't tell you whether it's job loss in another state if it's one percent, two percent, three percent. But in my store, ten percent of my employees would not exist.

REP. STEINBERG (136TH): Again, I have to really belabor this point a little bit because it's such a central part of the argument you've been making for a number of years.

When you talk about loss of thousands of jobs and the fact that the vast majority of states in the United States do allow Tesla to make direct sales,
why is it that we've not heard about loss of tens of thousands of jobs in that regard?

CHIP GENGRAS: I think there are 20 states out of 50 that allow direct sales model. I can't speak to the volume of jobs. Again, sometimes I wish Connecticut was Texas and Florida and California with the amount of people that are there to buy cars. This is a shrinking state. This is a tough state to do business in. And any exception you make on this would really hurt the retailers.

Now maybe it wouldn't hurt the retailers in Texas. That's fantastic. Maybe it wouldn't hurt them in Tennessee. But it's gonna hurt in Connecticut.

CHIP GENGRAS: So you make an economic argument which is a very interesting and different one than I've heard before. I take it back, it's not in all 46 out of 50 states but in the 20 states, you would think if this was a genuine problem that you would be coming to us today with really hard data that indicates the huge decline in jobs in those 20 states because they were -- they were allowing Tesla to sell directly. I've yet to actually see this data, I'm curious.

CHIP GENGRAS: Sure. I'm not here strictly on the jobs. I'm here because I think the retail franchise system, although it does provide jobs and I'm quite proud of the people that we employ in the state of Connecticut and for the 14,000-plus employees.

It's also for the consumer benefit and this model, I think, supports the constituents of Connecticut other than the direct sales model.
REP. STEINBERG (136TH): Yeah. Another question if I might. We're all perturbed about the article that suggests people had to wait an extensive period of time to get parts for Tesla.

You know, I had the experience, I've got a car in the shop right now and I confess that the dealer had to wait a couple days to get some of those parts in, depends on what the parts are.

But if Tesla, for example, were to have a part distribution center right here in the state of Connecticut that would greatly reduce the amount of time before one actually had to get those parts, would you still oppose their direct sale presence?

CHIP GENGARAS: I would and I found it interesting yesterday or two days ago on CNBC and this is -- I'm quoting someone so it's not something that I know factually but Mike Jackson from AutoNation, the largest auto retailer in the country said that Tesla's been taking deposits on models and they're not being able to fill those orders is de-contenting that model for the same price. Which to me is incredible bait-and-switch.

If you bought a car that you thought had leather in it for $40,000 dollars or whatever the price and when it came time to deliver it to you, we said, "Oh great news, the leather is now cloth but still the same price", and there's no one to hold accountable, then other than just someone who directs sales, that puts the consumer at a disadvantage.

Whether or not there's a parts depot and provides quicker parts in two days or three days, the direct sales model is something that we vehemently oppose.
REP. STEINBERG (136TH): That's an interesting point. I'm very glad that Tesla's coming up next so that I can ask them that specific question you brought forward.

One last point. I was very struck by the unworking tail light analogy that was brought forward. I'll share my experience which is I go to Walmart and look up on the list and I get the light bulb and I try to put it in. And I agree with you that sometimes it's really hard to get that light bulb in.

Makes you wonder about the current paradigm of how we design cars to make it difficult for consumers to put in something as simple as a light bulb. Then it occurs to me -- most of them will end up bringing it to the dealer, a service center at $100 dollars an hour to have that light bulb fixed.

So I think there's still opportunity for innovation and design so that the average consumer can replace their own light bulbs at a fraction of the cost of what it might cost to go to the dealer.

Thank you, Mr. Chair.

SENATOR LEONE (27TH): Representative Lavielle followed by Representative Carney.

REP. LAVIELLE (143RD): Thank you very much, Mr. Chairman. Good afternoon and thank you all for coming and giving us such a pleasant presentations.

I anecdotally share Representative Steinburg's light bulb problem. In fact, I've been told by my dealer that I'm not allowed to change the light bulb
because it's too complicated and electronic so I -- they don't even sell them to consumers.

That's off subject. Anyway, I have a question that is perhaps naïve. But hearing all of you speak, you're very proud of your businesses, justifiably. You have the ability to sell many models, many brands to bring a wide range of services to the consumer in a framework that you've been involved in for a long time.

So why does a manufacturer who would be selling one brand and one brand of car only -- why is that disturbing to you and why do you feel it would be significant enough to disturb your business?

Granted I understand you said it would open the door to others but even so. Why -- why do you feel that would disturb your business?

CHIP GENGRAS: So I think you answered the question how I would answer it is because it's not about one car at all. It's about the precedent it sets. And if in fact it does set a precedent where we will let anyone who's convincing enough to sell directly from anywhere, we believe strongly that is not good for the consumer in the long run and in the short run it might sound fantastic.

And I'm sorry that someone charged them $100 to put a light bulb in, that's probably the wrong thing to do. And you could probably fix your own light bulb depending on the car you drive.

REP. LAVIELLE (143RD): I don't know, probably not. [Laughing]
CHIP GENGRAS: [Crosstalk] has nothing to do with that. It's complicated. It's only gonna get more complicated the more technologically advanced these cars get. It's not about Tesla. Call it whatever you want, it's not NIO that was on 60 Minutes. We have a franchise system. There's a franchise system in this state. We believe that the legislature should uphold it.

And they have. Thankfully, they've listened year after year after year. We've made the same argument. Nothing's changed on our side with the exception that now finally the manufacturers, General Motors, Ford, BMW, Audi -- they're investing more money than Tesla ever could imagine and they'll have more vehicles on the road available for sale. So it's not about one brand. It's just about creating a loophole. We just don't think is a really good idea.

REP. LAVIELLE (143RD): Well, that brings me to the paradox here which is that -- and you're experienced in this business. You feel that this way of doing business, selling direct, is fundamentally flawed and that it isn't good for the consumer and that it will lead to all kinds of problems with service, with parts availability, with things like that.

So if -- if you're right and if your assessment is based on concrete observations and facts, then these companies wouldn't be long for this world anyway. And there wouldn't be anything to worry about.

So am I wrong and you think that in fact they will thrive under that model?
CHIP GENGARAS: I think the point -- I don't think they'll thrive. We're here to voice opposition to the bill that creates a loophole. A loophole for the franchise system in the state of Connecticut. We think that's the wrong thing to do for our business and our consumers.

REP. LAVIELLE (143RD): Final question for you. Do you feel in any way -- again, you've expressed a great deal of satisfaction with your -- with your -- the model under which you operate which is fine. Do you feel at all constrained by that model?

CHIP GENGARAS: I will speak as the only retailer but the constraint that I feel at times is from the manufacturer telling us how they want us to act and what their consumers what which is sometimes based on a national view. And although I'd like to beat Texas with the number of people there and a growing state, no one knows the Hartford market quite like the people who live and work in the Hartford market.

And when a manufacturer or God forbid, imagine just Tesla who got to decide from California. Let's do for Connecticut. Even though we don't live here. They could contract out some people and have a couple, 50 or 100 people. But do they know what it's like to live in the Nutmeg State? To take care of people?

In Hartford to know what the traffic's like? To know what happens on Old Barn [phonetic] Mountain in a storm? So I think that we feel -- I feel -- constricted from a manufacturer whether it's from Germany or Sweden or Detroit who tells me, "This is what your consumers want."
I appreciate their advice but at times I think I know our consumers better. And in this case, the 270 dealers, retailers, I think know the consumers of Connecticut as well as anybody.

REP. LAVIELLE (143RD): Well, thank you for that answer, it does make me wonder whether -- I mean it sounds like it's just not personal to you, I mean to any dealer. It sounds like the manufacturers perhaps don't listen enough to their dealers and it does make me wonder whether a manufacturer who isn't -- who is directly present might actually have a better feel for what's coming directly from the market.

But anyway, that's a speculation. Thank you very much for your answers.

CHIP GENGRAS: You're welcome.

SENATOR LEONE (27TH): Representative Carney.

REP. CARNEY (23RD): Thank you very much, Mr. Chairman. Thank you all for coming here. Chip, it's good to see you. Hope your parents are doing well.

So my question is we've seen this legislation four years -- actually now it's the fifth year in a row we've seen it. In the past, there has been some attempts at compromise. Would you be open to any sort of compromise that would limit the amount of sales Tesla would be able to provide and the number of Tesla stores that would be able to operate in the state of Connecticut?

CHIP GENGRAS: I think we went down that path a couple years ago. I can't remember the exact
language. But I would certainly -- I won't -- I can't speak on behalf of my association. We would certainly welcome the opportunity to represent Tesla, to have Tesla have franchises here. They could be company owned and they can keep all their people that they hire, whoever they want.

But we think they need to follow the rules. But I don't wanna speak on behalf of the association without having my fellow members here.

REP. CARNEY (23RD): All right, I appreciate that. Do you know of any other manufacturers that may be introduced into the market place similar to Tesla that would want to provide cars without going through the franchise system?

CHIP GENGRAŠ: I mentioned Volvo earlier. Pulstar, which is a subsidiary of Genie Corporation which is a Chinese -- a large Chinese car manufacturer which owns Volvo. They also started a brand called Pulstar which is separate from Volvo and they just launched a very similar sales model as Tesla in California only with the retailers.

So they sell -- you order only online. You can go see, just exactly like Tesla, but they've chosen to do it with their partners in the retailers which we think is the right way to go.

I know that in Europe there are a couple brands but I don't know of any in the United States who've attempted it outside of a retail network in any state.

REP. CARNEY (23RD): Okay, all right. I appreciate that and can you just send me -- a lot of folks
CHIP GENGARAS: The only one I can speak with a little bit of knowledge is Volvo. We were in Charleston, South Carolina where Volvo just built, I think, a $3 billion dollar plant.

Hakan Samuelsson is their CEO and they've been very clear that by 2025, which is less than five model years away, 50 percent of the cars they sell want to be electric. They're very conscious of their environmental impact. I think it's almost irresponsible for manufacturers not to do that. Some have more level, though, than others but I think everyone is conscious, everyone knows the consumer wants it so why wouldn't you build something the consumer wants?

And the investment that auto manufacturers have made, again, it's billions, tens of billions of dollars whether it's Volkswagen, Audi, BMW, Mercedes, Volvo, General Motors. So although it's still, I believe, one percent of the market, if the consumer demand is there in 2020, 2023, 2025, some people are predicting maybe it'll get to ten percent.

I haven't -- but anyway what they think it's gonna be, you know, 75 percent. There's an expense to this technology and some people like the sound of their engines and like to be able to drive long
distances and fill up with gas and some people don't. That's their preference.

But I can't give you specifics other than what I know about Volvo.

REP. CARNEY (23RD): Do you think that if say -- and I heard mention of if a Tesla, if somebody tries to trade in a Tesla at one of your dealerships, you wouldn't be able to repair it, you wouldn't really know what to do with it.

So do you think if or when this new technology comes out with Volvo and some of these other manufacturers that produce electric vehicles, are automotive technicians being trained in this new technology and say if this Volvo model comes out, would they then be able to repair a Tesla?

ELLIOTT MATOS: The technology is already -- the training is already done. Because we already have electronic vehicles, the technicians are more than capable of working on them. They are master certified, some of them on electric vehicles and they have to have all of the equipment necessary to do so.

It's not that they can't work on Teslas, it's just that they don't have any parts available because Tesla does not make parts available to the dealer. We can't buy parts from them to service a vehicle so if you were to trade your Tesla in to us, you know, we'd be hard pressed to take it because what would we do with it afterwards? We can't do anything with it.
So as a consumer, you're limited -- your options become exponentially smaller.

REP. CARNEY (23RD): So what would my options be then if I had a Tesla and I wanted to trade it in?

ELLIOTT MATOS: I believe you could only do that with -- with Tesla.

REP. CARNEY (23RD): Tesla, okay.

ELLIOTT MATOS: I mean to your benefit, obviously. I mean you could trade it -- anyone that's willing to take it would take it, obviously, but you wouldn't be able to trade it in for say a new Audi that's fully electric. I mean -- I don't know what we'd do with it.

REP. CARNEY (23RD): Okay. All right, well I thank you all for coming up here and for providing testimony.

REP. LEMAR (96TH): Thank you again for all of your testimony, answering all of the questions. I just have a few sort of clarifying, some questions that were asked earlier and a few that have sparked -- been sparked in the last few minutes.

And as to the point that yes, you've been here for five years on this issue and I've gotta be honest with you. If we don't figure out a solution, you're gonna be here for another five.

It has nothing to do with Tesla so much as our consumers are asking us, "Why don't I have this option, this option that's available in Massachusetts and New York and surrounding states."
Why can't I buy or even take delivery of a car here in Connecticut?"

We would like to have a world in which we settle things once and for all but that's not how democracies work and it's certainly not what our -- our constituents expect of us. They want us to try and figure out solutions where at all feasible.

And in that vein, I think it's true that car dealers have supported agreements in other states that have allowed for some of the direct sales and thinking chiefly of places like Maryland or Illinois, Indiana. Places recently where the car dealers have come to the table with the legislative bodies and determined a solution that represents both this emerging model that is new -- it's new technology, it's only developed by one company and I'd say from this point in the existing model.

So is that something that you guys are internally discussing? How can we follow the lead that we've seen in other states in allowing unlimited direct sale model?

CHIP GENGRAS: I can't speak to what's happened in other states, whether what's -- what the agreements were and then what happened after the agreements were made. It's purely speculation.

My recollection of the time that we discussed options was, "Oh yeah, we're up -- we're up for compromising discussion but we only wanna do it this way."

So it's hard. It's -- you know, it's really, really hard. I get it. And if I wasn't -- if I wasn't
concerned about any possible loophole to let anyone else come in it would be different. But I -- it'd be really hard to try to prove that point that this is just a one manufacturer bill. That we like this product at super hot, we think it's cool and we wanna change the law because of it?

Once it becomes just another product and the shine wears off, you know, it's a great -- it's a great product. But there's lots of great products out there.

So I don't know. I mean I think we should sit in a room and discuss it but there's been real little flexibility on both sides for sure.

REP. LEMAR (96TH): Thank you and I think you -- I thank you for acknowledging that second point. I think there's been a little bit of inflexibility on both sides.

CHIP GENGRAS: No question.

REP. LEMAR (96TH): And like hopefully we'll be able to look at what other states have done in developing something that people feel confident works for that state. We're not there yet. It's beyond us. We haven't reached that point in Connecticut but I'd like to see us get there if we can.

Central to a lot of this is just a sort of free market conversation.

CHIP GENGRAS: Sure, I get it.

REP. LEMAR (96TH): But we've created these very specific consumer protections for a reason, right? Like you know, we can all agree a free market until
something goes wrong and we need a consumer protection process in place.

CHIP GENGRAS: Yep.

REP. LEMAR (96TH): So I think that that's where the tension really exists in this construct.

I would like, to follow up on Representative Steinberg's question, central to a lot of this argument is the job losses inherent in allowing this model to operate internal to Connecticut.

And I know you don't have and it's not your responsibility to have it but it is something I think would benefit this conversation to try to understand what New York, Massachusetts, New Jersey have seen as related to job losses for allowing this model.

I think that's something that's been highlighted and indicated as a conversation point but we don't have real data and it's not on you to have it either but it is a part that's been used quite frequently to dissuade us from voting yes on this.

CHIP GENGRAS: So I appreciate you bringing that up and I think data would may be helpful. But what's gonna be impactful and I really appreciate the legislators who have listened to local retailers.

I can't tell you what they did in Massachusetts. I can tell you exactly what I would do. And I'm -- I'm one of 270 retailers operating a pretty tough business in a really tough state. And if all of a sudden the state changes the laws and the rules, that landscape changes for me as a business owner and so I have three big expenses -- the properties
that I buy and build, the inventory which I borrow on and the people I pay.

And this is a really difficult business. I'm sure Tesla's figuring that out right now. They're dropping prices on cars. It's hard. Retail is hard.

And so if you change the rules, those 270 retailers in Connecticut -- forget about Massachusetts, what happened in California, all those other -- they will look at the bottom line and they say, "Holy Moley, not only are they taxing more, not only are they talking about getting rid of the trade-in credit, not only are my interest rates going up. Holy mackerel, now they're gonna allow direct sales? I better get prepared. I better start shrinking my business because I've gotta be prepared for even if they're only here for a couple of years. If there's one, now there's four direct sales models competing against the retailer who's invested for generations?"

Those are decisions that will happen regardless of what happens in Massachusetts or Texas or other places and that's what I respect most about the dialog that's happened over the last couple years. Connecticut is unique and it's a wonderful place. I've lived here my entire life.

But it is different than most places. We don't have the luxury that Massachusetts has. We don't have the luxury that New York has. And I get it where our consumers think we're being unreasonable. And I apologize for that but we're trying to do what we think is right for our businesses and for the
clients that we sell cars to which represents 99 percent of all the cars sold in the state.

Most of the Teslas are really nice second and third cars, they're sweet. They're expensive. But they're not for the everyday consumer here in Connecticut.

REP. LEMAR (96TH): Thank you, I think you had --

ELLIOTT MATOS: Yeah, I had a point and I've done this exercise. It's a great question about the numbers of the loss of employment. I've done this exercise and our dealership group is also third generation. The Hoffmans have been around for going on -- in '21 it'll be 100 years.

So our dealership group has about 600 employees and if -- if we -- if we lost ten percent of our employees, just ten percent, it'd be 60 employees lost. One of the Tesla facilities currently employs no more than ten or 12 people in the whole facility.

If just our dealership alone lost ten percent of our people, that's six times more than what they have in one facility. That's taxpaying, that's revenue, that's just people that lose their jobs that have -- listen, I like my job. You know, I like what I do and I wanna keep my job just as well as the 600 people that work with me. We all wanna keep our jobs.

Again, it's not about -- it's about the unfair advantage that this provides Tesla or any operator like Tesla because chances are those manufacturers in other countries that are looking at these
currently are looking at places that they could target to come in and sell.

And do -- we ultimately have the responsibility to our -- to our consumers and our constituents to protect them. That's what we're here for. We've been entrusted -- the customers entrust us with their vehicles, we entrust you guys to protect the rest of the -- guys and gals to protect us -- to protect us as consumers.

And it's a big -- it's a burden -- it's a huge burden and a huge responsibility. But the question we have to ask ultimately is what's best for Connecticut? What's best for us? What's best for our consumers? Do we benefit from allowing this to happen? And do we benefit in a greater way than to having them adjust to the model that's been working for us and protecting our consumers for almost 100 years.

REP. LEMAR (96TH): That's great. Thank you. And again, I do think there's a Connecticut solution here. I do think it requires us thinking through this in a constructive way. I do think it requires people being more flexible than they have been in the past.

And I do think our residents, our consumers, who routinely ask us why can't I do what they do in Rhode Island, New York, Massachusetts, all of our budding states -- are demanding answers out of us and they're soon gonna demand answers out of you, too. And they're gonna start taking it out on a traditional model.
I mean you saw that the Trump administration rolled back fuel efficiency standards and that rollback was supported by the manufacturers and the dealers.

And so I think that people are excited by Tesla, excited by that technology. They see a company that respects those values and they see a company investing in sort of clean air standards and environmental standards that they wanna buy into.

And when they see that manufacturers and dealers in our state might not support that same issue, they're looking for that option and they're being frustrated that they can only buy it somewhere else.

So I think that sort of conversation needs to take place in a constructive way. And I know you've been a part of it and I know you've each been a part of it. I really do appreciate your time and willingness.

ERIN TOUPENCE: If I could just comment real briefly about that, we have Infinity, Nissan, Volkswagen and Mitsubishi and they're all coming along with EV models. But I know perception is one thing and the reality is another.

And you know, perception of car dealers is, you know, over the years it's improved but it is what it is. People see things, you know, they think we're making all this money on cars. We're not. They think that we're making tons of money on new cars, we're not.

We're struggling just as much as any other industry but to my testimony, you know, they think that Tesla is this innovative company but then you hear all of
these horror stories coming out of those factories about mistreatment of employees. About flouting, you know, laws. I mean we're talking about giving special treatment to a company that has already broken our law.

So I think perception is important because yeah, we might say Tesla is this neat, you know, company that's cutting edge and -- but is it? And I think we all need to think about that as well. I mean I am here because I care about my employees. I'm not an owner like Chip is but I've been with this company almost 20 years and I respect seeing, you know, somebody who started at $10 dollars an hour buying her own house. And a single mom.

And we treat our employees the proper way and with respect. And I would be mindful of the perception of what people think about a company as opposed to what is actually happening. And I think consumers are gonna start seeing that.

REP. LEMAR (96TH): Thank you very much. Elliott?

ELLIOTT MATOS: Yeah, I think it's disingenuous and a little ironic that the push is well we're -- we're -- Tesla is focused on we believe in the clean air and we wanna do this and do that.

Why are they -- why are the chargers not open to universal charging? Why are they specific only to Tesla models? I mean I think it's ironic that if the push is to really improve the Connecticut environment, why not open that to everyone who has an EV vehicle? Why does it have to be proprietary?
All our manufacturers have universal chargers. They can even charge the Tesla if they want.

[Background conversation]

REP. LEMAR (96TH): Senator Leone.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. Good afternoon, everyone. In listening to the testimony and hearing from all the questions, and it has been stated this issue's been in front of us for multiple years now. So we're starting to build a body of work as we're trying to flush out both sides of the arguments here.

And there's still some work to be done, obviously, because we still need to weigh the facts and make some decisions.

We've asked both sides to start talking to each other and come to a compromise because at some point we will have to act and we're not gonna pick one side over another, we're gonna have to figure out how we can make both sides and accommodate both sides because more specifically, it's what our constituents are asking of us. Right?

The Tesla vehicle is a popular vehicle and our constituents and our consumers want it for those that want it. But that alone doesn't negate the fact that you won't still sell the vehicles that you sell. There are still Chevrolets, BMWs, Fords, Mercedes -- whatever the case may be.

If Tesla were to come here, I just don't see all those other cars to not continue to sell and have -- and provide for your workforce. So I just don't see a huge drop in volume on day one. Maybe that'll
happen over time, we don't know. But we need to figure out how to come to some kind of compromise here.

The point you raised on Tesla as a manufacturer and how they operate, those are serious concerns that we do have to flush out and figure out solutions to them if -- you know, to the best of our abilities if we go down that road. And if we do, we will.

But we are listening to this -- this conversation back and forth for too long now and we're gonna have to make a decision. We're gonna have to pick a side in the sense that we've gotta provide our consumers with what they're asking for.

But there's gotta be a way to do that with both sides' help because I don't want to pick one over the other because there are questions, serious questions, that need to be flushed out.

So I think as we go forward here, you know, we do look at what other states are doing and we do tabulate the data because data is an indicator of what may happen here in Connecticut.

I understand that we're different. I understand what you may personally do for your -- for business, but that doesn't mean the whole market is gonna go in that direction.

CHIP GENGARAS: I totally understand.

SENATOR LEONE (27TH): So we have to weigh those facts. There is concern about creating legislation for one entity. I'm not a big proponent of that. But at the same time, it provides competition. Competition brings innovation. And the technology
that's out there is changing so rapidly we are having a hard time keeping up. And the laws from 100 years ago may not be relevant for the -- for the laws that are necessary for the oncoming future and that's what we're trying to flush out here in this committee.

So we have a lot of work ahead of us and hard decisions we're gonna have to make. We are gonna be looking at data from other states to see where Tesla is and what happened to the market there. Did car sales drop, were jobs lost to whatever degree to see if that's something that would happen here.

But at the same time, we're not gonna just roll over, either, we need to make sure we have protections that if a person wants to turn in a vehicle, they should be able to do that and have it be accommodated. And if that's not happening, that's where the consumer protection and the regulatory framework comes into play.

So it's -- it is another down snag we'll have to figure out. So we may not have the solution right this moment but we are looking for details on both sides and at some point we are gonna act. And I would highly suggest from both sides to talk to each other because you may not like what we have to come up with as a compromise. And you may weigh in on that if you like.

CHIP GENCERAS: I appreciate your efforts. Not necessarily the best place to spend a Monday but nice to be up here again.

I think that as you do your research and you look at technology and innovation you will find that there
are a lot of companies spending a lot of money doing that and competition is fantastic. Just as long as it's a fair playing field.

And we understand the challenges and there are probably more than a thousand constituents who own the product in Connecticut, I'm sure. I get it. And you have a big job and so I appreciate your efforts.

SENATOR LEONE (27TH): Thank you.

REP. LEMAR (96TH): Thank you again for your willingness to engage in this process. Like I said before, you -- we all are aware that this room could've been 120 of you with 120 from each location supporting you. We've seen the emails, we know the concerns that are felt inside the industry and we do appreciate your engaging us and have been -- having continued to be a resource for us as we think this through.

Both of you, yourselves personally, I know you've each been in my office and we've talked in the past and through Mr. Fleming and Ms. Kowalski certainly maintain a presence here. That's been a tremendous benefit to committee members. So we do appreciate that.

CHIP GENGARAS: You're welcome. Thank you.

REP. LEMAR (96TH): And with that, we'll move onto the second part of this by calling up Albert Gore and Alan Woolmar.

Good afternoon. And you've now heard it three times, I'll do it more quickly this time. This is
an experiment, we appreciate that you could've filled this room with hundreds of Tesla owners or folks who are wishing to change our model here in Connecticut.

We do appreciate that you've agreed to engage in this more nuance back and forth and we're providing you with more than the traditional three minutes in order -- in understanding of your willingness to engage in this sort of back and forth. Thank you again.

ALBERT GORE: Well, thank you, Mr. Chairman. Thank you, Chairman Lemar and Leone for creating this space for us to have this discussion.

We're here today to testify on behalf of Tesla in support of House Bill 7142. And the main -- the main message I have is we -- we wanna be here in Connecticut. We want to expand in the state. We want to employ residents of Connecticut and grow here.

What we're here to ask for is the -- or the reason we're advocating for this bill is we'd like the same opportunity to choose a distribution model that other manufacturers had. We're the first American auto company to successfully scale and go public since Ford.

And since the other manufacturers decided on the franchise distribution model many decades ago, these franchise laws have developed over the years and the intent was to level the playing field in negotiations between a franchisee and a franchisor. Not to preclude anyone else from choosing a distribution -- or a different distribution model.
So the reason that we sell direct is that it really is central to our mission which is to accelerate the transition to sustainable energy.

And our goal from the outside has been to try and identify and understand and overcome the barriers to adoption that have existed for electric vehicles and renewable energy technology.

And one of those barriers on the vehicle side has been the distribution model. It's understandable that sales people who've spent years or decades understanding combustion cars aren't incentivized to learn about technology that's gonna represent a small fraction of their sales but is gonna take a much longer time to sell. And I think we heard a little bit of that from the dealers represented here.

So our customer experience that we've tried to create is organized around overcoming those barriers through adoption whether it's for electric vehicles or renewable energy products. It's true that sometimes people come into one of our stores looking for a car and they leave with a rooftop solar system or residential energy storage. And we're very proud of that.

As of last year, we've installed over one-and-a-half gigawatt hours of energy storage capacity and our solar products have produced over ten billion kilowatt hours of solar energy.

That's because our mission is to promote the cause of transitioning away from fossil fuels and toward clean energy. Connecticut's a leader in that transition, by the way, as a member of the Nine-
State ZEV Coalition that has collectively pledged to put 3.3 million zero emission vehicles on US roads by 2025.

Now we sell truly zero emission vehicles. There's no -- there's no gas tank on our cars. They produce truly zero emissions. And I wanna be very specific about that definition because when you're talking about battery electric vehicles like we sell, in the United States last year we sold 80 percent of the battery electric vehicles in the country. And in Connecticut, it was 78 percent.

And we're motivated to do that because we feel deeply that we need to move fast and make progress on lowering our emissions and to help states like Connecticut that have taken a leadership role on facilitating that transition.

Motor vehicles contribute 40 percent of the carbon emissions in Connecticut and 66 percent of the standard pollutants which are things like sulfur dioxide and ozone and lead that contribute to increased rates of childhood asthma and cancer. So it's an important transition and it needs to happen as quickly as possible.

So we wanna be here. We wanna talk to the other stakeholders about how to do that in a way that addresses their concerns but we feel, after many years, that the only way to do that is for policy-makers to say that the status quo isn't working. It's not acceptable and it needs to change. And we believe that the best way to say that is to support this bill.

Thank you.
ALAN WOOLMER: Thank you and good afternoon Representative Lemar, Senator Leone, Representative Devlin. Thank you for your time this afternoon.

My name is Alan Woolmer, I have been a Connecticut resident since 1993. I've been in the automotive industry for more than 30 years. For most of my time in Connecticut, I've worked for some of the fine car dealerships in the state, many in lower Fairfield County.

I've been with Tesla for the past six years. My current role is to manage the service center in Milford where we have 19 employees, full-time employees, and the service center in Mount Kisco where we have 23 full-time service employees in addition to approximately 12 sales staff, I think, in the Mount Kisco office.

In addition to that, we have approximately -- and it's tough to tell because we are employing some more folks but we have three or four mobile technicians that cover Connecticut and an additional 34 mobile technicians that cover other parts of lower New England. So my role is to manage those folks at those operations.

But I wanted to give you a little insight in to Tesla behind the scenes. Behind the fast cars and the -- and the groundbreaking technology and behind the celebrity of Tesla.

There are those that oppose Tesla that will attempt to paint us as an out-of-state faceless corporation but really nothing could be more further from the truth. In Connecticut, we are deeply rooted in the community and specifically in the education
community and that's what I wanted to talk a little bit about. It's a passion of mine, it's a project of mine and it reflects our company's culture, too.

We have many programs we're involved in from elementary science school programs to technical school career development guidance programs.

We've all seen how fascinated kids are with Teslas, it's a big iPad with wheels, right? It's just super cool. And every day our customers who bring their children to our service center with a hope to meet with our technicians and maybe a little glimpse behind the scenes and look under the hood. There's not much under there, by the way. It's kind of empty under the hood.

What we have done at a local level and nationally we've leveraged that interest that the kids have to encourage them to become engaged in study and specifically in the STEM subjects -- science, technology, engineering and math.

We're a mission-based organization. We're not a profit-based organization. And our mission as Al pointed out is to accelerate the world's transition to sustainable energy and starting with transportation.

And by connecting our super cool cars with the STEM subjects, we hope to inspire kids to do good things for the planet and for the economy and for the environment in the future.

There's many things -- I could give you a list but I just will point out a few of the things we're involved in locally and inspired an event at our
Gigafactory in Nevada this summer and I'm referring to Milford Service Center. This summer we will be holding our third 'Introduce a Girl to Engineering' event. We did this out in Nevada, we've done it in California and many other states and we're doing it here in Connecticut.

So in Connecticut we've been partnering with the Girl Scouts of Connecticut. We bring around 20 to 25 young females age between six and 12 into our facility. We give them a tour and then we engage them with hands-on STEM related subjects and really talk to them about engineering. Start introducing engineering and technology to females.

We have, I think, in California where one of the companies with the highest number of female leaders on the technical side and we want that spread across all of the US.

We -- last year we also were involved -- we were able to bring a couple of scientists from local Connecticut companies -- I think Feisel [phonetic] is one, I don't remember the other one -- to an elementary school in Milford. And these scientists spent time with the kids talking again about STEM. Connecting STEM with cool stuff like Tesla. Doing some experiments, launching rockets in the -- in the playground.

We've also -- this is fairly new to Connecticut but we've been doing this for a while. We've partnered now with the Connecticut technical high school system. We took part last year in a program called the Career Exploration Program where we could bring kids in, young students in the technical schools in
Connecticut and those who have an eye on automotive specifically.

And they spent time in our center. In fact we brought them -- a young fellow from Bullard-Havens school in Bridgeport -- to our center in Milford and he spent time shadowing our technicians. And learning and getting more enlightenment to aspects of a working life and to technology that will help -- help him and others make better career decisions in the future.

We also provided funding for the Connecticut Kid Governor program. And so those platforms that we often use, the EV -- EV events, electric car events, we were able to give a platform for her to push her campaign.

One other thing, there's a point for me giving you this long list. The other thing that was just introduced we're hoping to get lifted off in Connecticut mostly in other states is a START program. So nationally we've partnered with some of the large technical universities.

The UTI, the University of Technical Institute and a number of other large communities where we are providing the funding for students to go to college and then to join us for 12 weeks on a program we call START. So we're financing that education and we're also working with the technical schools to help them design and redesign their curriculums to suit the new automotive industry and the new technical -- technology industry.

We'll be talking to Porter and Chester in Stratford. Bullard-Havens in Bridgeport. Gateway Community
College. Platt Tech in Milford. Many of these technical schools who need help in designing curriculums that will prepare our kids to move into the world of technology in the future.

So you know, Tesla, we didn't start making electric cars to compete in an automotive industry for profit. We make cars to try and improve the world. And every employee at Tesla, that's core to everything we do. It's a passion within every single one of us. It's about making a difference in the world.

So as a Connecticut resident and a parent and in the interest of our state and our environment and our economy in Connecticut and our children's future, I respectfully urge this committee to vote in favor of bill H.B. 7142 and I'm happy to answer any questions including light bulbs and airbags.

REP. LEMAR (96TH): Thank you both for your testimony today. We have a lot of folks signed up for questions. So we're gonna start with our ranking members. Representative Devlin followed by -- oh sorry, we'll start with the Chairman of the Committee, Chairman Leone and then we'll move onto Representative Devlin and Senator Martin.

SENATOR LEONE (27TH): Thank you, Mr. Chairman, I'll make it brief so to give more time for the committee members.

And thank you for your testimony and your -- you know, the new Tesla in general and the Tesla vehicles, they're a great car, consumers like them that are buying them, our constituents, the handful
and in some cases a lot more are buying them and asking us to pass this legislation.

And the way the current system has worked is we're pretty well, in general, for people to buy cars, make sure they get serviced, make sure that they're issues are -- you know, their protections have been put in place over time due to original, you know, flagrant interpretations of the original rules.

So we've put all those pieces into place. No doubt about it, the car's a great car but you're asking the state to do something totally different and I know you are in other states but you've had to go through that same process in all those states to ask for special exception.

That does give us pause because we are used to moving at a slower rate than other places and making sure that we do our due diligence. And the fact that it's taken us a few years now, I think is a good thing because we're gonna start this to develop and see patterns over time where things are, where things are not.

And every time it looks like Tesla's on the verge of breaking through and doing some great things, your -- even your spokesperson gets himself in hot water to bring a lot of negative PR that has consequences both on the stock price and how the company in general should be run and it is being run.

Here in the state of Connecticut we've -- you've gone through a lawsuit that were the state ruled against you. I know that's on appeal. That gives us pause for concern, too.
So while we're trying to figure out how to address and help our consumers that wanna buy your -- your vehicle, you're also asking us to do something totally different and undo some longstanding legislation. That's not something we take on lightly.

So our job is to try and figure out is there a middle ground here and maybe there is, maybe there is not. But we have to figure that out.

And so that's why, as I mentioned to the previous testimony, to make sure that both sides are talking, it would behoove both sides to work well together to see if there is a common ground there. There should be a Connecticut solution, as my good Chairman mentioned. But it should not be at the expense of one side over the other.

So we're gonna have to figure that out. We're gonna have to see where this takes us. That's the reason why we have had these public hearings each successive year because it's something that is not gonna go away but we have to make sure that we have protections in place and we don't want our current businesses that are here who are doing a good job, that are providing work, to then have to negate that or shut down their businesses or tailor it back because of some fears.

What we have to figure out is are those fears founded in truth or not. So I'm just gonna leave my comments there so that we can ask some of the questions. If you have any comments on what I said, I would love to hear them as well. Thank you, Mr. Chair.
REP. LEMAR (96TH): Thank you. I don't know if I wanna start off with answering or wait till the questions or do we want to move right to other questions?

ALBERT GORE: I would just have one brief comment. On where we've reached compromised positions in other states, in several of those examples, we -- we got licensed as a dealer because the state originally interpreted the statute to say that the ban on manufacturing sales shouldn't apply to a manufacturer that has never had franchised dealers.

And often the compromise deal came about through an affirmative push from the state dealer association to change the law to block Tesla.

So that's how we have arrived at some of the compromise positions that we're in in states in this region.

REP. LEMAR (96TH): Thank you. Devlin, Martin, Rosario, Bergstein, Steinberg, Carney, Lavielle, McCarthy-Vahey. You may wanna tap out at some point. [Laughter] It's up to you. Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you both for being here and for your testimony. And I appreciate what you've outlined in terms of Tesla being a good corporate citizen and investing in local communities which is something that we would expect and that we see with businesses that operate within the state already today.

Also, appreciate the move to be more environmentally friendly. And we heard from those who testified
right before you that from what we might call traditional auto manufacturers are moving at an accelerated rate to offer multiple different versions of electric vehicles that would contribute the same and with some ambitious goals of shifting their market mix between traditional engine automobiles and electric automobiles.

I also have constituents interested in Teslas. I drive a Ford but I've seen them and I think they're fabulous cars. Definitely seem like a lot of fun. But we have -- as the good Senator said, it's not just longstanding legislation in place in the state of Connecticut but it is also set up -- a set of guidelines or rules that an entire industry has been established upon. And as we've heard for multiple generations, have operated within that.

And so now we have a new company, new business model that wants to change all of that for the benefit of trying to sell cars the way you wanna sell cars. So why not work within the framework of the state of Connecticut to achieve the goals that you want of selling Tesla cars which I think are wonderful. But without a total disruption of a system, again, that has been in place and functioning well to the benefit of the state and for consumers and certainly for the economic growth of those particular firms.

ALBERT GORE: The -- I appreciate the question. We've never franchised anywhere in the world and our -- our intention is not to disrupt the existing franchise system. We believe it's a great system between the manufacturers who have chosen that distribution model and their franchisees.
You know, with no desire to disrupt it, what we care about is how to get the most -- the largest number of people to buy into the transition to electric transportation and clean energy.

And when we set out to do that, we looked at where it had come up against barriers in the past and we chose our model based on what we saw as the best way to address and overcome those barriers. So that's why we are choosing to operate our retail locations in the way that we do.

Just anecdotally, it is a much longer process from when someone who's never experienced an electric vehicle starts to come and ask questions. They wanna know how much does it cost to install charging in their home, how much does it -- you know, how long can I go on a single charge, what's my electricity rate?

It's a much longer process than the traditional dealer sales model. So that's why we've chosen, not because we have a desire to disrupt the existing model.

REP. DEVLIN (134TH): So I appreciate that and that would make a lot of sense, I think, perhaps in the beginning but do you think that the marketplace has accelerated at such a rate that now with a goal in a mere five years of 50 percent of cars being sold as electric vehicles from traditional dealerships that that education, that knowledge, might be a benefit to be able to integrate within the existing system?

ALBERT GORE: We sell 100 percent of our cars as zero emission vehicles currently so I think we -- we are encouraged at the commitness that the industry
has made but we are not looking to wait for the industry to move. That's the way that we've -- we've always done business is we've tried to identify the best solution and then pursue it.

REP. DEVLIN (134TH): Okay. Thank you for your answers. Thank you, Mr. Chairman.

REP. LEMAR (96TH): Senator Martin followed by Representative Rosario.

SENATOR MARTIN (31ST): Thank you, Mr. Chair. Thank you for testifying today. So why should Connecticut give you special treatment?

ALBERT GORE: Again, we're not asking for special treatment as much as we're asking for the opportunity to choose a distribution model as other manufacturers were given when -- when they chose their distribution model.

SENATOR MARTIN (31ST): But they had that choice years ago. They direct sold and since then we've adopted another model which is better for the consumer. So why should we take a step back?

ALBERT GORE: I think rather than viewing it as special treatment, we see it as essential to the mission that we're on which is to -- to be evangelists for this technology.

That is something that is -- it's a new technology, didn't exist in a large volume back then. So we're -- we're advocating for the same policy here that exists, it's actually 24 other states where we sell direct. We've got -- with 378 retail locations around the world.
And it's a model that's worked very well. So what we're asking for is the ability to innovate and compete.

SENATOR MARTIN (31ST): If I heard you correctly, that your mission was to accelerate this -- or as quickly as possible this technology, this -- the advocating for clean energy. It would seem to me that using the franchise model you would -- you'd achieve your goal much quicker than doing the method that you've chosen now.

ALBERT GORE: I think we disagree on that. I think we've seen tremendous success with this model and we see the direct sales model as being central to that success.

SENATOR MARTIN (31ST): I would disagree with that because currently I've been here for four years and you would be in 270 different dealerships today, those that chose to want to sell Teslas. And they would be educated because you -- you would've been in their stores educating them. And then they would been in turn showing your product to many consumers here in Connecticut.

And right now you're -- you're what, in Milford? And supposedly educating the public and not selling but the courts recently ruled that apparently you were selling and violating state -- our state laws.

So explain to me, I guess, how you're accelerating your mission.

ALBERT GORE: Well the location in Milford is a service location. I think the -- what you're
referring to is a separate issue from what's -- what's being considered in this bill.

I understand your point. I think we've -- we've taken on this issue because we do view it as an important one in our mission and -- but I understand your point.

SENATOR MARTIN (31ST): So how do we -- go ahead.

ALAN WOOLMER: I was just gonna -- there is a technical aspect to this whole so the product that we have is unique in that we are -- we're -- the vehicle is consistently -- is constantly communicating with us in order for us to identify any issues and to continuously improve it and make the product better.

The light issue just as a point and I will get to my point -- if the tail light fails on a Tesla, you don't have to worry about it because we call you first. And you don't have to worry about being pulled over by a cop because we're calling you before you know that your tail light has failed. Because of the technology and the network that is being built in order for us to perfect this vehicle.

At the moment, it -- it really wouldn't be a viable option for a dealer that I think that will be fair to take on this vehicle at the moment. Under -- in order for it to develop and evolve the way we plan it to, because it's not just about environment, it's also about safety. It's about having systems in a vehicle that currently we are -- we have data to show our saving lives.
I'm not talking about the old one or two things you hear out on the sensational news but the technology that we are developing and are putting in place and rolling out is saving human life.

And that level of -- the financial commitment, the investment in the technology -- at this point is not viable for a dealer. And the servicing is not viable for a dealer. We -- our service operation is nonprofit. We don't -- we don't make money in service even when our customers go out of warranty, they only pay what it costs us to fix the car.

Service is an expense in our business, it's not profit center. It's the exact opposite business model to a dealership. Which the dealership model works well for the consumer. Our model works well for us.

So I think what I'm trying to say is there is definitely a technical aspect to it that would be immediately diluted if we were just to handoff to dealerships because the amount the dealerships would have to invest, they would not see a return on their investment.

And we fear that for that reason there may not be the level of commitment to sell these vehicles. We do know and we -- we hear it from our customers that they've visited many, many dealerships and have tried to buy electric vehicles and have always been steered towards gasoline vehicles and so we -- we tend to fear that a little bit as well.

SENATOR MARTIN (31ST): I guess what comes to my mind is if you did have a franchise model and they were not making any money that they would decide not
to sell Tesla and at that point you could sell
direct if you came back here and let us know -- gee,
it's just not happening, it's much easier if we go
direct.

But with that said, so what is your warranty policy
and how is that handled? Because that is my biggest
concern is consumer protection. That's why we have
franchise statutes now. And how do you handle a
warranty and lemon law -- who's the advocate for the
consumer?

ALAN WOOLMER: So the warranty -- I'll take the
warranty policy thought. The warranty is the same
as any other vehicle, four years, 50,000 miles. The
battery, the drive unit are covered for eight years
unlimited mileage.

It's an expressed warranty so the customer sees that
warranty. And under our repair is licensed in
Connecticut, we're subject to exactly the same rules
and regulations that all of the dealerships are. We
wanna bust that myth that we operate outside of
those rules and regulations, we do not.

We have the same Department of Trans for post is in
our lobbies where our customers visit.

Lemon law is -- so one of the -- one of the
advantages is that you're dealing directly with us.
We are there. If there is a defect in the product
and it cannot be repaired by us as a manufacturer,
then we are settling with the customer, providing
another vehicle.

I don't know if we've had many but I know that we've
had a couple, right? I mean I'm not gonna pretend
the car never breaks. Cars break from time to time. But it's with minimum fuss.

Customers dealing directly with us, it's a really clean line of communication. There is -- it's in our interest as a mission-based company to move forward in that. It's not in our interest to -- to not -- to not help a customer who has one of our products that may have broken.

ALBERT GORE: I would add that we're -- we're regulated exactly the same as any other dealer when it comes to liability warranties and consumer protection.

I wanted to address the Takata recall because I think it's a good example of where we have outperformed the industry. In the first year we've had over 90 percent completion rate which is 30 -- 30 points better than -- than the rest of the industry.

So we -- consumer protection exists for our customers in exactly the same way as it does for any other dealer in states who are licensed as a dealer.

SENATOR MARTIN (31ST): I'm -- I'm sorry. Your last comment?

ALBERT GORE: We're -- we're regulated exactly the same as any other dealer from a consumer protection standpoint.

SENATOR MARTIN (31ST): What's the average turnaround time for servicing? I know it depends on what needs to be serviced but on an average.
ALAN WOOLMER: On an average it's -- it's around about six hours for servicing. The vehicle doesn't require a lot of servicing. The new Model 3 has a service integral of every two years. There's not really much in the way of fluids or there's no hazardous waste that needs to be removed from the vehicle. It's just basically a tire rotation every few thousand miles.

Most -- if I might add one of the --

SENATOR MARTIN (31ST): Maybe I used the wrong expression. So something happens to a Tesla, do you have a replace process from the moment they -- there is a phone call made or email sent or -- [crosstalk].

Or whatever -- whatever the consumer has to do. What happens and if you have one -- two, three, four stores here in Connecticut, you have ten and I don't know what the number is but ten stores or service stores, what's the distance between where you purchase to the service, I guess, facility and what's the wait time, etcetera?

ALAN WOOLMER: Okay. So the distance right now for a Connecticut resident is significant because they can only purchase the vehicle in New York. So but we have a service center in Milford, Connecticut. We want to build more but without a revenue stream coming into the state, it's difficult from a financial -- it's challenging financially.

But when -- when something breaks on the car, you need something, it's very, very similar to a car dealership. You simply call our number. You can either call locally to Milford, you can call our
national number. We have hundreds of people in California that will take a call if you're not calling the local Milford number.

Appointments are usually satisfied within 24 to 48 hours. Now you'll come in for an appointment, we fix the car, we have a same-day turnaround on most of our repairs.

I think -- there are some differences. Seventy -- around about 75 percent of anything we ever need to fix on a Tesla does not need to be lifted in the air on a lift. And does not involve fluid exchange and does not involve high voltage.

So all of those repairs are eligible -- eligible for our mobile service. So you either bring the car down to the Milford Service Center but if you live up in Litchfield, if you live up north of Hartford. We have a lot of customers in Avon. If you live up in Guilford, then we offer mobile service so our technician will come to you.

And as I mentioned before, we have -- although we have 19 folks in the Milford office, we have a whole bunch of technicians that come to your home, to your office.

And this is not an exclusive luxury service that we offer at a premium, this is free. This is part of owning a Tesla. Whether you buy a $35,000 dollar Model 3 or whether you buy a $100-plus thousand dollar Model X.

The nature of the repairs that need to be done are very -- are less complex than that of a gasoline vehicle. And most of our diagnosis is performed, I
think currently right at around about 80 percent of diagnosis is performed remotely before the vehicle arrives at our center.

So we know what the vehicle needs, we know what parts are needed. We oughta have them in stock. The very parts that a dealer cannot buy, by the way, are structural body parts. They are able to buy any part from Tesla, I just wanted to bust that myth a little bit. You can buy parts from Tesla.

We're able to order these parts in advance if we don't have them on the shelf and then we send a mobile technician to the -- to the house.

That's how we handle repairs in Connecticut. Our longer term plan once we have a -- if we can have a revenue stream is to build more service centers.

But it's a very traditional way, it's a very quick turnaround. If it's a critical issue, it's measured in hours. If it's non-critical and an elective such as a service, the appointment might be two to three days out.

Currently in Milford it's a busy time because of the weather. We currently have a four-and-a-half to five day lead time. That's the amount of time you need to wait for the next elective appointment, non-critical.

SENATOR MARTIN (31ST): Thank you, I've taken up a lot of time, sorry. But thank you so much for your answers. Mr. Chair, thank you.

REP. LEMAR (96TH): Thank you, Senator. Representative Rosario followed by Representative -- sorry, by Senator Bergstein.
REP. ROSARIO (128TH): Thank you, Mr. Chairman. Good afternoon, gentlemen, thank you for your testimony.

I have a quick question. Can you highlight some of the economic development options or benefits to the state of Connecticut, especially through the lens of employment opportunities and training for people in the inner cities?

ALBERT GORE: Yes, thank you for the question. So Alan mentioned our START service tech training program earlier so that's a program that we partner with local community colleges. We put together a curriculum with by funding and staffing. It's a 500-hour program and everyone who completes it is guaranteed a job at Tesla upon graduation.

So that's one where I know that you've spoken with a number of local institutions about that. Do you wanna talk about the high school program as well?

ALAN WOOLMER: So yeah, there's -- so we're trying to get interest early with the -- with the high school -- with high school kids. So in junior years we're out visiting high schools with vehicles. Our technicians are out there chatting with the kids.

And we also invite them into the service center to give them -- to give them an insight into what a career in automotive and automotive technology might look like.

And then once, if there's interest, that's when we'll then be directing them to our technical schools in Connecticut which we have a number. There is the Connecticut Technical High School
System. We're hoping to get a closer partnership with the folks there to be able to provide this part.

REP. ROSARIO (128TH): Can you give us an example of a pay rate and whether it's $20 dollars an hour, $25 dollars an hour. How much is the pay rate for some of these jobs?

ALAN WOOLMER: So the jobs -- pay rates vary. And I could -- we're very proud of the quality of job at Tesla. Pay rates are highly competitive. We typically are paying between 90 to 110 percent of market for -- for a new intern into the company.

We give 15 days of paid time off every year. Twelve weeks of family leave. I just have two technicians from Milford actually both have just taken seven weeks paid. One had their first child, one had their second child.

There is a structure to career path through Tesla. So we have a lot of people in our company, myself included, that focus purely on career development. We're having constant one-on-one conversations with our employees where we're matting their talent, we're encouraging them, developing them forward and that pay increases as they move up through the levels, be it technical proficiency, whether it's through customer service, whether it's through some of the other facets in the company.

REP. ROSARIO (128TH): So these would be at the retail store. What's the difference between the retail store and the gallery? What --

ALAN WOOLMER: The gallery is -- that's very good.
ALBERT GORE: I can speak to that. So a gallery is essentially a showcase where you have products on display but we don't conduct sales and we don't conduct selling activity.

So you know, you can't configure a car or talk about pricing. But -- and generally people wanna come just to learn about what it means to drive an electric car. You know, how's it gonna fit into their lifestyle, what's the carbon footprint of this car versus the car that they currently own. And -- and what are their options for solar and energy storage as well.

So a gallery will provide as much information as anyone wants about any of those range of products but without talking about a sale of pricing.

REP. ROSARIO (128TH): One final question. What other states in the Northeast are you currently selling vehicles directly?

ALBERT GORE: Well, we're in Massachusetts. We've got a license in Rhode Island, Pennsylvania, New York, New Jersey, Maryland, Virginia, DC, Ohio. Am I missing any? [Background talking] Yeah, it's easier --

REP. ROSARIO (128TH): So we would be the last state pretty much in the northeast, right?

ALBERT GORE: Yes sir.

REP. ROSARIO (128TH): Just like everything else here with marijuana and all these other things. All right, no further questions. Thank you.
ALAN WOOLMER: Just to give you a -- I didn't fully answer your question, Rep Rosetta (sic). A technician that may have worked two years at Tesla and has been trained by us will be making somewhere between $22 dollars to $27 dollars an hour. With a cap at around about $52 for a five-year master technician. Just to give you an idea of scale.

Starting, typically starting for an intern technician may start around about $17.50. Just to give you some scale.

REP. LEMAR (96TH): Senator Bergstein.

SENATOR BERGSTEIN (36TH): Thank you, Mr. Chairman. Thank you, gentlemen, for your testimony. So full disclosure, I do own a Tesla so if anyone wants to know about the customer experience and service experience, I'd be happy to give my personal story.

But what I'm really interested in is what you were speaking about before -- marriage of technology, bringing technology -- your technology engineering, opening up the minds of young people so that they can see that there are careers in this field and hopefully growing careers.

So I'd like to ask you how many people, if -- if you had full access to the Connecticut market, how many jobs do you think you would be able to add to our economy per location. What kind of jobs, sales jobs versus service jobs and then how you envision training.

I know you spoke about possible partnerships with different colleges and technical schools but how you can envision, what's the big vision for how you
could start working with our young people to train them for careers not just as service providers for Tesla but maybe you know, broader as -- as engineers for certain class of product.

And how we could create a pipeline of skilled workers who then have real job opportunities with high-paying jobs in Connecticut. So you can paint us the full picture of what the economic impact on Connecticut could be. Thanks.

ALBERT GORE: I'll just answer the first part quick and then turn around. I think when we think about jobs in Connecticut, we think about the average, you know, Tesla sales and service location employees, between 25 and 50 people.

So you know, we see enormous demand here and I think, you know, we would -- we would like to expand as much as possible here. So I hesitate to put a total number on jobs but per location it's 25 to 50 and it's over a million dollars in direct investment in the first year alone.

So Alan, you want to talk about --

ALAN WOOLMER: Sure and there's also the component that I think was in -- was alluded to earlier the past distribution centering Connecticut. We'd have to go back to look at that again but that was definitely a target two years ago.

ALBERT GORE: Yeah and I can speak to that. I think it was something that was part of -- that was talked about a few years ago and we have -- we've since located that parts distribution location in Pennsylvania.
So -- but there will be more opportunities in the future.

ALAN WOOLMER: So and as far as that career path, that is our goal is to work with not just the technical high schools in Connecticut but to help all of the high schools build a technical piece into the curriculum.

But mostly the technical high schools. Because schools like Porter and Chester in Stratford, Platt Tech in Milford. And again Gateway where there's -- you see a lot of the technicians that are working at the car dealerships and come from those schools.

So our recruiting team actually are actually partnering with a couple of universities in New York now, we'd want to mirror that. So we are there in the university, in the college, helping to design that curriculum.

And then taking those students and bringing them directly into Tesla, one of these facilities. And then also once you're working for Tesla, you're actually open to career path -- an unlimited career path. If you want to go into the sales side of the business, into the HR side of the business, the technology side, design, engineering.

Manufacturing, you'd have to move over to California but there's not a lot of folks going into manufacturing.

It's -- it -- at UTI, the Universal Technical Institute, right now we are about to employ six students for our Mount Kisco office into the -- into the service center in Mount Kisco. And that will
actually be the first yield from that -- from that college out of that.

That's the closest we can, we can't bring them into Connecticut because again, we need a -- we need a revenue stream before we can start providing further investment into the state.

SENATOR BERGSTEIN (36TH): So interesting, thank you. So that really sounds to me like a public private partnership. You are investing in training students who you then hire and give career paths to and that could be what we have in Connecticut if we partner with you. You would agree to do a similar sort of thing here.

And then would you have -- would you have service centers attached to every sales showroom or would they be separate facilities. And you talked about a parts distribution center, is that yet a different kind of facility? If you could just sort of paint a visual picture of how these would distribute around the state.

ALAN WOOLMER: So we are more service-focused than sales-focused because as it was pointed out, you know, with the vehicle it's easy to configure online, it's easy to learn a lot about this vehicle. Ultimately you need to be able to drive it and make sure you're happy with the way it feels.

But the nature of this vehicle is a great deal of your learning can be done online. So we don't need to focus -- we have less sales folks than we have service folks. But the typical setup is what we call Service Plus.
So again, we're a service-oriented business where we may have every -- we may have 15 technicians and five sales folks. It'll be a small showroom. One or two cars and some -- and some room to have some cars for test drives. We don't need a lot of real estate to actually sell the vehicle.

In Connecticut we would probably focus more on service centers than sales centers at the moment, I feel, because we have such a -- there are so many cars in this state. But I'll let you.

ALBERT GORE: Yeah, I think that varies. I think we -- our goal is to make every location, or the majority of the locations sales plus service in Connecticut.

SENATOR BERGSTEIN (36TH): Great, thank you. Thank you, Mr. Chair.

REP. LEMAR (96TH): Thank you, Senator. Representative Steinberg.

REP. STEINBERG (136TH): Thank you, Mr. Chair and thank you for your testimony here today. You know, I've heard the dealers mention that they do a lot of marketing. And as a consumer of marketing, I have to agree with them. I have seen a lot of marketing taking shots at you guys. I think they've accused you of everything short of devil worship at some point along the line here. [Laughter]

But obviously, in all seriousness, there are some serious concerns in the news lately about Tesla struggles to make the three really work for them. And I just read the whole bru-ha-ha with Consumer
Reports and Tesla purports that it has addressed the issues brought forward there.

I think it's quite natural to struggle to move from sort of a high end exotic car maker to a mass maker. I think it's the point the dealers are making.

Could you just comment on your ability to meet the demand you hope will exist in the state of Connecticut?

ALBERT GORE: Yes, thank you. We -- we have addressed concerns. We've invested heavily in expanding our service capacity and throughput at our service locations and now I can speak to that.

You know, 2018 was an extraordinary year for Tesla. The total Tesla fleet increased by 85 percent and so our -- our primary goal has been to scale up our service capabilities in order to be able to serve that growing customer base.

So Alan mentioned the mobile service fleet which continues to grow. As he mentioned, close to 80 percent of problems can be addressed, diagnosed, identified remotely. And then 90 percent, or close to 90 percent of the service calls, the cars that we do repairs on don't require a lift.

So we're looking to -- to create some innovation in the way we provide service by not being strictly reliant on customers bringing our cars to a central location but being able to come to our customers and provide service that's able to be provided where the car is.

And it's been very well received and you know, Consumer Reports does an annual ranking of customer
satisfaction and Tesla vehicles have been number one since 2013 including last year. The Model 3 was ranked number one in customer satisfaction.

So we feel very good about our service model and the investments we're making at the moment.

REP. STEINBERG (136TH): So I also heard a statistic from the dealers saying that 92 percent of all EVs sold in the state are sold by dealers. How does that conform with the statement that you're selling most of the EVs in the state of Connecticut.

ALBERT GORE: Yeah, it's a great question. I think that there is an expansive definition of EVs that -- that includes some hybrids. When we talk about zero emission vehicles, we mean vehicles that have zero emissions.

So full battery electric vehicles and that -- that's where we have about an 80 percent share. Or had an 80 percent share of the market in 2018.

REP. STEINBERG (136TH): I'm gonna ask you a question I asked the dealers. They didn't have the statistics available. We've heard a lot about how if we were to allow you to have direct sales that it would have a humongous impact on jobs in the state.

And I asked what the experience has been in the 20 other states that currently allow Tesla to sell directly. Do you have the statistics to indicate that there have been tens of thousands of job losses that we have to be concerned about?

ALBERT GORE: I don't have those statistics, I have seen statistics from the Department of Labor to show that at least in the handful of states that they've
studied, one of them of course is Massachusetts, that since Tesla entered the market dealer employment and sales from car dealers have increased significantly.

REP. STEINBERG (136TH): So just the opposite of what you would predict based upon what we've been told.

ALBERT GORE: Yes sir.

REP. STEINBERG (136TH): One last question and then I'll turn it over. I'm very glad to hear that you are considering the idea of including some form of service along with any sales-related entity that you would have in the state.

But I am concerned about what I heard or read about difficulty in getting parts. Would you at least consider the prospect of having some sort of distribution center in the state of Connecticut that would facilitate the availability of parts just as quickly as any dealer might?

ALAN WOOLMER: So I -- I feel to some degree the parts issue that we're talking about is isolated to a number of -- a very small number of specific parts.

But I -- but in addressing that, what we have -- originally we had one parts distribution center operating out of California. There are now four. We have just opened a major, a 250,000 square foot parts distribution center in Bethlehem, Pennsylvania that runs overnight deliveries to all of the it's kind of a hub and spoke set up at the moment.
It runs overnight deliveries to all of our service centers between Boston and Bethlehem, Pennsylvania, so if we can't get a part it's because we haven't made enough of them. There are very few of those. Very, very few.

But parts availability has improved significantly in the last six to eight months but I feel it was something that was a fair criticism a year to 18 months ago. There were times when we didn't have the part. A dramatic change now and we're continually looking to simplify this process. To have more deliver trucks that will bring the vehicle the parts overnight and to stage -- you know, we have a lot of data in our company, we know what the top 800 parts we might need are.

We're actually just going through a whole new program nationally and globally to clear all of our part rooms and only keep the top 80 percent of parts. The 80 to 90 percent will be made up from these large distribution centers that may ultimately be in each state but for right now we get parts overnight.

REP. STEINBERG (136TH): It sounds like the good old 80/20 rule. I would strongly encourage you to maybe keep those 20 percent in Connecticut just so we have nice quick delivery. [Laughter] Thank you, Mr. Chair.

REP. LEMAR (96TH): Thank you, Representative Carney.

REP. CARNEY (23RD): Thank you very much, Mr. Chairman. Thank both of you for coming here and testifying. So I just have a couple of questions.
So my first one is today, so how would I as a Connecticut resident receive my Tesla? How would I order it and how would I receive it?

ALBERT GORE: Well, you could go to Mount Kisco and that's where you would take delivery. You can -- you can order it over the phone, you can order it online. It's a pretty seamless process. One of the -- one of the benefits of our model is that we offer the same price to everyone whether you're buying, you know, in California, in New York or from your smart phone. So there's no -- there's no haggling.

One other -- one other benefit there is that financing is not a negotiation. You know, one thing about traditional dealerships is they -- they often mark up the financing costs that they offer to the customer about 250 basis points.

And it's -- it's kind of a stressful process but financing and insurance makes up almost a quarter of traditional dealership's profit.

So removing that from the process and removing the negotiation over the sales price makes it very simple to do it, you know, whether you walk into the store in person or on your phone or on your computer.

REP. CARNEY (23RD): So does only the Mount Kisco location serve Connecticut residents or are there other locations that serve Connecticut residents remotely? So if I were to order it from Connecticut.
ALBERT GORE: I believe that there -- there may be a few that got to New Jersey but I think that -- or Dedham, sorry, that's right.

REP. CARNEY (23RD): Dedham.

ALBERT GORE: Correct, yeah. But the majority are in Mount Kisco.

REP. CARNEY (23RD): Okay and would you have any idea about how many Teslas are sold to Connecticut residents from that Mount Kisco location?

ALBERT GORE: I believe the number is -- we sold about 3700 and I think about 3400 of them are still registered here in Connecticut.

REP. CARNEY (23RD): Okay. And do you have any idea, just maybe a ballpark estimate if you know, any idea of the type of revenue, the amount of revenue Connecticut could be losing by having that store in Mount Kisco or one of the other locations where Connecticut residents actually have to outside the state to purchase them?

ALBERT GORE: Yeah, it's -- it's kind of a complicated issue. I will just say that we're taking -- we're taking all steps currently to ensure that the revenue is remitted to Connecticut.

REP. CARNEY (23RD): Okay. If -- if we were to pass this legislation, do you have any estimate like how many Tesla stores the company would envision opening in the state.

ALBERT GORE: I hesitate to say -- to put a number to it. I think it -- I'd have to check with, you know, the sales team on what the current demand
shows and you know, things have shifted dramatically as the Model 3 has come down in price and we're sort of on the precipice of having the $35,000 model on the market. We expect that in the next few months. And so I think it would be based on the demand models that they see so I hesitate to put an exact number on it.

REP. CARNEY (23RD): Okay. How many stores do you have in Massachusetts?

ALBERT GORE: In Massachusetts we've got two.

REP. CARNEY (23RD): Two.

ALBERT GORE: Well Watertown [Inaudible 04:53:51].

REP. CARNEY (23RD): You have Dedham and --

ALBERT GORE: Dedham and [Inaudible 04:53:57].

REP. CARNEY (23RD): Okay, so those are places you can actually go and purchase a Tesla.

ALAN WOOLMER: Two. Two locations that the traditional sales and service locations and then one just north of Boston which is a service only location.

REP. CARNEY (23RD): Okay, are you planning on expanding at all in Massachusetts?

ALAN WOOLMER: Yes we are. Sorry. We are about to open a fourth location in Peabody, Massachusetts.

And then another after that up towards New Hampshire.

REP. CARNEY (23RD): And that'll be service only?
ALAN WOOLMER: That'll be service only, yep. Yep.

REP. CARNEY (23RD): Okay, because the only reason I'm sort of asking this line of questioning is, you know, in the past we have had legislation that has limited the number of Tesla stores that would be able to be opened in the state of Connecticut.

I know, I believe they've ranged anywhere from three in one year. I think the bill maybe had five last year or two years ago. I can't remember -- we've had this five years in a row now so there's always been different iterations.

But would Tesla support that sort of compromised language -- I'm not sure if the auto dealers would but would Tesla support that sort of compromised language that would limit the amount of stores that Tesla would be able to own. Or operate in the state of Connecticut.

ALBERT GORE: I think we are absolutely open to talking to the auto dealers about a compromise. Whether it's that type of compromise or, you know, something similar that addresses their concerns.

Yeah, we're open to that, we just haven't seen a willingness to speak with us.

REP. CARNEY (23RD): Okay. All right because I would like to see something done. I know it's been discussed, there have been many, many meetings and here we are again five years in a row and I do think it's time that, you know, I know Senator Leone said, you know, at one -- at some point the committee will act and potentially the full legislature.
It's never gone through the full legislature. Oh, the only time I think it went to either chamber was four years ago it went through the House and it passed the House and then it stalled in the Senate.

But I'm sure that some point -- something will pass. I would like to see some sort of a compromise because I do -- I would like to see Tesla be able to sell in the state. I think we are losing some revenue, I think we're losing some potential jobs and I do appreciate -- my mother works for Porter and Chester so I appreciate the shout out, I think they do a great job and I think it'd be great to have some of the potential technicians there learn how to repair electric vehicles because there are certainly going to be so many more of them on our roads probably within the next ten years.

So again, thank you so much for coming here to testify.

ALFRED GORE: Thank you.

REP. LEMAR (96TH): Thank you. Representative Lavielle.

REP. LAVIELLE (143RD): Thank you, Mr. Chairman. Thank you for coming to see us today and for your testimony.

I can't remember how many times I've voted on this bill. Either in committee or in the House, I supported it, by the way, but it's been a lot.

So I've heard a lot of the -- a lot of the arguments from both ends and something struck me today. That is a little unusual. Hearing about the dealer model, hearing about your model, what your aims are,
what the dealer's aims are, I have a couple of questions.

One is do you feel you're dealing with the same type of customer and further to that, do you feel you're really in the same business as car dealers? I mean you're a manufacturer but if you see what I mean, is the whole Tesla business model, is that -- is that really, can you liken it to being the same business as what the manufacturer/dealer duo does?

ALBERT GORE: I think it is significantly different in the sense that we're not just a car company. We manufacture and sell solar energy storage products as well.

The division that we try to present to customers is, you know, if you are someone who believes that it's imperative to transition away from fossil fuels, here are several different ways that you can do that as a -- as a consumer, you know, rather than just voting for good policies, voting with your wallet, trying to reduce the emissions that you are putting out into the atmosphere.

I think given that we offer a range of products, it is different. Now there's overlap. I mean myself and my family, we have a Tesla and we have an internal combustion car. We're, you know, sort of halfway through the transition so to speak.

So I think that there is -- there is some overlap but you know, as has been mentioned several times, the share of the overall vehicle sales market represented by EVs is incredibly small at the moment. We're trying to change that and we're -- we're happy that other manufacturers have made
announcements that they are investing more in electrification because we think that's very good for the industry and for everybody.

But in the -- for the time being, I think there -- there are some significant differences in the customer base.

REP. LAVIELLE (143RD): No, I asked -- I asked the question because it doesn't seem to me to be altogether the same business. And in that context, it's odd to consider this is a special deal, if you see what I mean. It's a different type of business and I know that's subjective but there's a lot of indicators that -- to fill in that direction and I would just sort of submit that for consideration.

And just to further to what you've just explained, do you see as part of your role in Connecticut, you know, people have talked about job training and all that kind of thing and economic development. But the one thing that always comes up with electric vehicles is the chicken in the egg business. You know, why should I get one of these because maybe there won't be enough chargers around for me to charge up and so on and people are a little worried about that.

Do you see yourselves as having a role in developing the infrastructure in Connecticut as well?

ALBERT GORE: Yes, absolutely and that's -- I mean you're right that that is maybe the biggest barrier to adoption for most potential consumers of electric vehicles is awareness of charging, range anxiety. You know, they wanna know is there charging along with their most common commuting routes and if they
take road trips they wanna know how that's gonna work.

And a lot of times without good sources of information, you know, it stops the -- it stops the process of considering an electric vehicle.

So early on we decided we can't wait for a third party charging the economy to spring up and have that be an external constraint on our ability to deploy electric vehicles.

So we invest our own money in charging infrastructure. It's not a profit center for us. In fact, it's a -- it's a loss leader but it is the most important psychological barrier for folks to overcome.

So we do that through destination chargers. I think we have -- we've got 21,000 destination chargers worldwide. We've got our Superchargers which is a DC fast charger, it puts, you know, about 80 percent of -- I think it's 175 miles in 30 minutes of range on your car. So it's a -- it's a great solution for folks who, you know, are taking road trips and they're not -- it's not gonna replicate the gas station experience but it's close.

So we've got 1400 of those and with 12,000 connectors. So we do see that as absolutely essential and we've been encouraged to see a number of other company's third-party charging providers do their own investment and you know, we think it would be encouraging if other manufacturers made their own investment in charging as well.
REP. LAVIELLE (143RD): Thank you for that answer, I think that considering the -- I've called them infrastructure gaps -- that we have in Connecticut, a commitment in that area is very hard to turn down.

ALAN WOOLMER: If I may add to that something to be proud of in Connecticut, I think we have more Superchargers per capita than any other state. We have 14 in Milford which when that was built was the largest Tesla super charging station on the east coast.

We have another eight in Hartford, more in Waterbury. We have Greenwich, we have Darien. Soon to be Old Saybrook. And then some more further up in the corner.

So from an infrastructure standpoint, Tesla's in good shape in Connecticut. We can service many, many more Teslas here.

REP. LAVIELLE (143RD): Can any electric vehicle use your charger?

ALBERT GORE: No. Currently we use a connector that was -- we chose the design because it was able to deliver the fastest rate of charge at the time. And still. So again, one of the biggest barriers was people want to know how long is it gonna take to charge this car up. So DC fast charging was an incredibly important component in lowering that barrier to adoption.

So we developed a charger that could deliver an incredibly fast rate of charge. If another car was to hook up to one of our Superchargers, it's actually limited by the battery architecture, it's
off. So there's a -- there's a reason why Tesla connectors only go into Teslas.

REP. LAVIELLE (143RD): Okay. Well, I still -- I still think that any commitment to developing the infrastructure is a very important element and I know that there's a lot of discussion about being able to move forward through compromise.

I'm not sure when you're dealing with two different types of businesses that compromise is necessary but that's just my view. It -- it may be wise to go in another direction but I think that certainly commitment to infrastructure is a very, very important element. Connecticut is very environmentally aware, as you know. And I -- I think that you're in a wonderful position to meet those needs and demands.

So anything that we can discuss on that level would be great and probably pretty persuasive. But anyway, I hope that we will be able to nail something this time because there are not that many companies who are dying to be in Connecticut and it would be a shame not to jump on the chance.

Thank you.

ALBERT GORE: Thank you.

ALAN WOOLMER: Thank you.

REP. LEMAR (96TH): Thank you. Representative Devlin has a quick follow-up question.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Just a follow up on the discussion you were having with Representative Lavielle regarding the
infrastructure. And I think you mentioned that it would be great if other companies would also invest in putting in that kind of infrastructure.

But it struck me that when we heard the last group that was up, they actually gave us a diagram, a couple color photos that showed that they have charging units that charge all vehicles including Teslas yet Tesla is exclusive to Tesla.

So it's sort of like other, I guess, technology that comes about right -- I'll liken it to the grocery store, each checkout thing is different. So why we'd just have one universal. But would it be more advantageous if Tesla was really interested in building that infrastructure to support the environment, to reduce the carbon footprint that in fact there was more of a universal system because apparently one does exist. Other car dealers are using it that also benefits Tesla owners.

ALBERT GORE: I think it's a good question and we're in favor of more charging in general. You know, because it -- there's -- as the industry scales up, there's going to be enormous need for more chargings.

So to your point about universality, I think -- we have talked about that in the past. Given that we -- this is not a profit center for us, we invest our own money to install these chargers as a way to enable more -- more potential customers to buy EVs.

It's -- it's been difficult for us to imagine how to do that in a way that accommodates everybody. I think there is a -- there is a solution or there
have been solutions that have been discussed and I agree with you.

REP. LAVIELLE (143RD): So I would know this better if I had an electric vehicle but I'm even trying to think of in our own community the charging stations that we have. I think they're universal for any kind of vehicle.

So I just think of the infrastructure clutter, right? It's as we start to see more and more, if there's compatibility you can obviously get away with potentially fewer. So but thank you, I appreciate that and thank you for the indulgence since it was related to the conversation.

ALBERT GORE: I will add just one thing that when we -- when we put destination chargers out, a lot of times -- and we work with municipalities to identify the best sites for charging development, we will often put universal charges at our own cost alongside Tesla chargers in order to somewhat accommodate that issue.

REP. LEMAR (96TH): Representative McCarthy-Vahey followed by Senator Haskell.

REP. MCCARTHY-VAHEY (133RD): Thank you so much, Mr. Chair and thank you for being here today and to all the folks who have been here today on both sides of this issue.

It certainly is an ongoing conversation and I couldn't agree more with our Chair that this will be an ongoing conversation as we move into the future and as technology continues to change, our earth continues to change, the way we work and how we
innovate will continue to change and evolve. So this is a great conversation to be a part of.

I wanted to address and forgive me if I'm repeating, I had to be out of the room briefly so a couple of the issues that came up with the folks who testified previously and first of all, consumer protection. I know you talked a little bit about where you rank in terms of Consumer Reports and consumer satisfaction but what are the specific things that are in place within Tesla to protect a consumer if they have an issue with your company, if they have an issue with a part, with a vehicle -- what steps are in place now for consumers?

ALBERT GORE: Thank you. Where we are licensed as a dealer and licensed as a manufacturer, we are -- we provide all the same compliance with consumer protection regulations that exist for other manufacturers and other dealers.

So whether it's warranty, liability, federal motor vehicle safety standards and regulations, we comply with all of those regulations in the exact same way that others in the industry do.

REP. MCCARTHY-VAHEY (133RD): But if I had a problem with my vehicle, where would I go, who would I turn to, who would be my advocate? We heard from the car dealers that we've got the dealerships who are really advocating for the consumer. Who would be my advocate if I had an issue with my Tesla vehicle?

ALBERT GORE: Alan, do you wanna take this one?

ALAN WOOLMER: So -- well, we're one large company. All of -- all of the folks working at Tesla,
especially service management, are incentivized to always be doing the right thing by the customer.

You'd be dealing with us directly. It's in our direct interest to come to a resolution if there's -- if there's conflict, for example. It's in our direct interest to find a way to fix that car immediately or to satisfy that customer if their expectation is outside of just repairing the car.

We've had some instances. When you buy a Tesla, you have, I think 48 hours, you can get a full refund on the vehicle. Within a given period of time if you find any defect, even if it's of a cosmetic nature, we give -- we have an open policy to come back and let us know about that.

The warranty is very clearly defined. It's comprehensive, it's eight years unlimited mileage on the -- on the big components it's four years, 50,000 miles. The warranty is expressed in writing. It is in exact compliance with all the regulations that govern warranty.

You would come direct to Tesla. We made it, we own it, we built it. We're proud of it and we'll fix it. We do not -- we've had very, very few cases where we've had any -- had to go to arbitration and those that we did, were just misunderstood what the problem actually was on the car.

REP. MCCARTHY-VAHEY (133RD): So the conversation would be directly, perhaps, with you in a service center.

ALAN WOOLMER: With us, yes.
REP. MCCARTHY-VAHEY (133RD): In Milford, for example.

ALAN WOOLMER: Yes, so I would act on -- I would advocate for the customer. So we do have that structure within the company where we -- because we are -- we are aware of that as a manufacturer. So we make sure the customers' interests are properly represented.

REP. MCCARTHY-VAHEY (133RD): Thank you for that and if I may continue, Mr. Chair, the next issue that we really heard a lot about was the issue of fairness and a level playing field. And in this building we often talk about equality versus equity and I think about the concept of fairness in this regard with respect -- in some respects to market share and, you know, as you talk about a mission-driven company and trans -- transitioning to an all-electric vehicle future at some point which, you know, is the clear mission of your founder.

So for most -- how would you address those questions around fairness and the fact that you really are seeking an exception to the rules we've had in place for so long?

ALBERT GORE: Thank you. I think with regard to market share, we sincerely hope that number goes down. We are not looking to dominate the electric vehicle market place. We would like increased competition in that market place, more entrance, more all-electric vehicles for sale.

So I think our hope is that -- that number decreases over time because it means that there will be more electric vehicles out there on the road.
As far as special treatment, I think we -- we see this as a different model fundamentally because the incentives for an electric vehicle when it comes to both the sales process and the service process are not very well aligned with the traditional dealer profit model.

So the average new car dealer makes, you know, something like 57 percent of its revenue on new car sales but only four percent of its profit. It makes about seven or eight times more profit on service.

So, and these -- these are averages. I'm sure there's variability but in general, because an electric vehicle requires so much less service, the incentives are not well aligned to sell electric vehicles.

I know that we heard -- we heard folks say that that's not true but I again would question what the definition of all-electric vehicle is that they're using because if there is an internal combustion engine on the car, then it's going to require oil changes, transmission fluid, spark plugs. You know, there are a number of things that exist for hybrids that -- a service requirement -- that don't exist for all electric vehicles. So that may account for some of that discrepancy.

REP. MCCARTHY-VAHEY (133RD): And when I was referring to market share, I was thinking more of the total market with all types of vehicles, actually, and it's such a small percentage of the market that is currently the type of vehicle that you are selling.
And I think you raise an important point in terms of the difference in a model and incentive in terms of moving a product. I think that's something that we need to look at as we're thinking about this.

I'm very interested in coming to a compromise. I've been part of this committee, as many others have, for the past four years. This is my fifth year here also and have been very supportive of moving forward in the past and will continue to be because I think it's really critical for our future on many levels that we are moving in the way of this type of technology.

I appreciate you saying that you hope that there will be more competition out there. I think that's gonna be critical.

I also just wanna go back to something you said about being a mission-driven organization as opposed to a profit-driven organization. And I would suppose that there would be folks who would be skeptical in that regard. But I do think that that is one thing that's been very different with your company and with your founder is there clearly is more than just selling vehicles, as you referenced in your testimony earlier.

And I think that that's something that, you know, when we look at this, we're looking at a very specific law with a specific set of rules from a specific framework which is, you know, this is what we've had in place for many years and this is how it's worked. And as we transition into a future economy and future technology, I think it's a challenge for us.
So I do appreciate what the Chairman said in terms of getting in a room together and figuring out what can work whether it's things like the technology, the charging stations, where we come up with compromises there, whatever those things are. But did you wanna comment any further on that mission-driven versus profit-driven piece?

ALBERT GORE: No, just to say that -- I mean obviously we are not a -- we are a for-profit company with a big mission and I think our goal has been to prove this concept -- that we can be an auto manufacturer that is successful in America but does not produce any internal combustion engine vehicles.

And if we can prove that concept, then we will spur innovation in the rest of the industry and that's good for everybody.

REP. MCCARTHY-VAHEY (133RD): Thank you for your time today. Thank you, Mr. Chairman.

REP. LEMAR (96TH): Thank you, Representative. Senator Haskell.

SENATOR HASKELL (26TH): Thank you very much, Mr. Chair, and thank you both for your patience in what I imagine is a very long day and probably not your first like this up here given the many years that this issue has come before the legislature.

I'm new to the General Assembly but the issue certainly is not and I'm wondering if you might be able to provide a recap, say over the last 12-month period of discussions you've had with the principle sources of opposition to this bill.
Representative McCarthy-Vahey mentioned the idea of getting in a room together, finding a compromise. Has there been a willingness to compromise on the other side? Where are we in the progress of those talks?

ALBERT GORE: I think that the -- the history over the last four years and -- and this is my first year testifying -- but there has not been a great deal of willingness to negotiate. I think, you know, the status quo is working for the folks who oppose the bill.

You know, we're hopeful that this year there is an acknowledgement that the status quo needs to change among policymakers and that that will create space for a real conversation around a solution.

SENATOR HASKELL (26TH): Just two more questions. In previous conversations, you'd sort of mentioned a ballpark estimate as to how many dealerships Tesla -- or how many points of sale Tesla might be interested in opening and you mentioned that it's around 20 jobs per store, is that correct?

ALBERT GORE: It's between 25 and 50 for a sales and service location. Yes.

SENATOR HASKELL (26TH): Well, that's remarkable. Given your extreme interest in Connecticut, does that stem from the fact that we are producing such high-tech skilled graduates every year? What drives your interest in this state, I guess?

ALBERT GORE: Well, we're seeing enormous demand from Connecticut residents. I think they're -- there's been a lot of interest in EVs in general in
Connecticut. I know Connecticut EV Club is here and that's not just a Tesla club, they -- there's a lot of interest in the benefit that EVs bring.

Connecticut is particularly affected by auto emissions. Not just because of greenhouse gas emissions but because of the particulate matter. I think Hartford ranks like 20th overall in a recent ranking of states with the most number of ozone days.

So these are air quality issues because there's so much more vehicle transportation in the state that I think has motivated people to try to seek solutions in the transportation sector, try to reduce emissions.

So we've seen a lot of interest in our cars, a lot of demand for our cars and that's why we wanna be here.

SENATOR HASKELL (26TH): I've certainly seen the demand as well. Along with Representative Steinberg who serves on this committee, I have the honor of representing Westport which I believe has the highest per capita Tesla ownership in the state and the EV Club of Connecticut started with the EV Club of Westport, so I'm grateful for your partnership there.

One last question and forgive me because I just can't remember the states but what are the other states that do not permit the direct sale of electric vehicles? What group is Connecticut in?
ALBERT GORE: Well, there's just a handful of them. South Carolina, West Virginia, Texas and Michigan off the top of my head.

SENATOR HASKELL (26TH): And Connecticut.

ALBERT GORE: And Connecticut, yes.

SENATOR HASKELL (26TH): Wonderful. Thank you very much for your testimony. Thank you, Mr. Chair.

SENATOR LEONE (27TH): Thank you. And thank you again for your testimony today. You've been up there for a while answering a lot of questions, we do appreciate the time and effort that you've put in today. We will, of course, have numerous questions, we'll be in contact both with you and many of your representatives here in the Capitol. Hopefully we can get something done this year and get this off our docket so we're not back here next year doing the same thing all over again. Thank you both.

ALBERT GORE: Thank you, Mr. Chairman.

SENATOR LEONE (27TH): Next we have Sal Sena and if Joy Avallone wants to join. No? Oh, so we have you written on the wrong side. Okay. That's too bad. [Laughter] You can come up next, Joy. You can be next, Joy, all right?

SAL SENA: Good morning, Senator Leone, Representative Lemar, Senator Martin, Representative Devlin and distinguished members of the Transportation Committee.

Thank you for the opportunity to testify on Senate Bill 866 in support, an act in concern of nonconsensual towing motor vehicles.
My name is Sal Sena, I'm the President of the Towing and Recovery Association of Connecticut, the TRPC. And to the right of me is Joe Miano, past president and board member.

The TRPC is composed of 200 towing professionals, licensed dealers in Connecticut which run automotive industry towing services. We're a small business that's trying improve the quality of life in our state. Our business is pretty much keeping the roads clean for you guys.

We get called out from the state police, local municipalities, business owners, people with issues involving vehicles they need removed. Weathers, this past storm, the plow trucks had to get through, they call to get the vehicles that are abandoned in parking lots removed. Vehicles alongside the road to get out. Local municipalities, fire departments -- again, they all on us. Station's down, we're called out to take care of problems.

The problem here his there's a large number of vehicles that we tow that do not get picked up which costs us or requires us to spend money in order to get information from people that own the vehicles, people that -- last registered owners.

A lot of times people sell the vehicle, they don't notify motor vehicles, "Hey, I sold the car, it's not mine no more, so-and-so bought it."

So now we're required to track down the last registered owner, pay certified mail, pay office help, incur all these fees in order to get the vehicle so we can file paperwork to motor vehicles. Ten dollar charge to dispose of the vehicle.
Initially in 2017, we commissioned Motor Vehicles, we got a rate increase. That rate increase was the first rate increase we got in over ten years. We asked more vehicles for a surcharge at which time they said, "You need to go to General Assembly and petition you guys in order to get the rate -- surcharge."

Sorry, I'm a little nervous doing this. The number we came up with would actually come out to $47 on a car which realistically doesn't make any sense. As we've said to you in previous meetings, a ten-dollar surcharge would help offset the rate that Motor Vehicle came up with that they charge us in order to get rid of the vehicle.

A year ago, DMV came out and said, "Hey, listen, we want $25 dollars to file this paperwork". With your help and negotiations with the department, we were able to get it down to ten dollars. So every time we tow a vehicle, on top of this $6.70 certified mail, the fees that we charge and we find out who, you know, through different websites, they charge you to get the information of who owned the car last to send them the certified mail, Motor Vehicle itself charges us another $10 dollar fee. And then we will dispose of the car.

What we're looking for here is for us to be able to have a $10 dollar surcharge on the nonconsensual tows to offset the fees that we're paying out.

Right now law enforcement calls us out, like I said, other municipalities, we have these vehicles here, we want them gone. What we're trying to do is prevent it from becoming a problem as you guys see
right now such as tires. Any town, any city, that can become a huge problem.

What we're trying to do is make it so people aren't leaving cars on the side of the street. We're not a wreck and tow, wreck and pay. Doesn't make any sense. We're trying to offset these fees by the surcharge of $10 dollars.

Thank you for your time and consideration in support of this legislation but I'd be glad to answer any questions.

REP. LEMAR (96TH): Thank you for giving some glimpse into your industry and the challenges it presents. Are there any questions for Mr. Sena? Senator.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. Good to see you both again and thanks for the testimony. I know as you're looking to recoup costs, a couple questions come to mind and just maybe for the education of the committee members or the public listening in. Can you describe -- well, you're asking for a slight rate increase to cover your costs by applying that extra rate to nonconsensual tows.

So can you articulate some scenarios of what is a nonconsensual tow versus a consensual tow?

SAL SENA: You guys call on a -- gentleman calling upon a phone saying, "Hey, listen, I need a tow. How much you gonna charge me to get my car from my house to the local Tesla dealer."
At that point, you know, you give a gentleman a rate, that's consensual. You shop around a price, you're looking for the best you can.

If you -- the police officer during a snow or clearing the streets, say, "Hey listen, we've got three abandoned cars on this property, we want 'em gone." On a local street. Happens every day.

It'd be the gentleman that owns a grocery store plaza, "Hey, I have three cars left, someone left in my parking lot, can you get 'em out?" Or the commuter lot, you'd see where the state police have red-tagged a vehicle. "They don't belong here, can you please remove them?"

Those are not consensual tows. They're vehicles that the owner is not present or was arrested or -- or the vehicle is parked where it didn't belong or the vehicle's been abandoned on a piece of property. Those are not consensual tows which we're trying to -- we remove the vehicle but we need to get the owner's information and we don't recoup our costs till we get rid of the vehicle which with today's scrap prices is about $150 to $175 dollars per car which doesn't get rid of that $500 or $600 dollar bill you're getting to do the vehicle. Stolen, storage fees and so forth.

SENATOR LEONE (27TH): Would a nonconsensual tow also cover anyone on private property?

SAL SENA: Yes.

SENATOR LEONE (27TH): So would that include like say landlords?

SAL SENA: As far as --
SENATOR LEONE (27TH): I don't know, if I'm a landlord with an apartment building and I don't want someone on that property, can I call for a tow, nonconsensual, and say, "This person doesn't live here, he doesn't belong here", can you then, would that constitute a nonconsensual tow?

SAL SENA: Correct. The landlord doesn't pay that bill. The person that picks up the vehicle pays the bill. In real time, would -- the average consumer pick up any part of the bill would be the gentleman or the individual that owned that vehicle would absorb that bill.

SENATOR LEONE (27TH): Well, I can understand a commercial aspect but I think in the private situation, there's gonna be some gray areas that I think we might need to flush out.

And so that one area gives me pause for concern because I think there might be some opposition to some of that. So as we hear and learn about that, I would just ask for your input and compromise as we try to move forward on what the best solution here is because that could be an issue for some folks.

Private towing.

Because what we're asking for is to recoup costs so that you can break even or more importantly, maybe you can articulate if you don't do your job, if you don't pick up these cars left on the sidewalks, what would -- what's gonna be -- what's the domino effect, what's the repercussion?

SAL SENA: The repercussion would be the state of Connecticut would have to absorb the cost. You'd have to literally find somebody that should be
paying the state of your coffers in order to compensate the company to come on and do the job for free.

Because we're not getting paid for the vehicles. These are vehicles that -- it's one of every ten doesn't get picked up. Especially in the cities. That you're towing the cars, the police department, for instance, unregistered. You don't -- it's cheaper to abandon the car at the end of the day for a lot of people than to pick it up.

You know, you can go on Craig's List and buy a car today for $250 dollars. "Yeah, I got a car" so it gets you around the block and no registration, no paperwork, and people buy them, they drive around, it dies on them and they leave it on the side of the street or municipality. You know, pulls them over and tows the vehicle and this is where we're at. The expenses will be occurred (sic) if we're willing to do the job because we can't recoup any of our costs. We'll be passing it on to the state to clean up the mess.

You know, right now we're fighting not only to try to recoup our costs but we have the insurance companies -- Allstate, Progressive, Geico -- they turn cars over to me -- they'll sign a car over to you in exchange for -- in lieu of costs. We don't want the car, we wanna get paid for a vehicle. We wanna get paid for the services that we provided.

And the short end of the story is we have no -- no way of recouping these costs. You know, you can raise the rate and charge what you want but unless
somebody's gonna pay the bill it doesn't do you any good.

SENATOR LEONE (27TH): And if you're sitting on say a handful of cars on your property after you've towed them and picked them up and no one comes to claim them, how do you dispose of them and what's -- what's the cost for disposing them?

SAL SENA: Hypothetically your car is to get towed today. The police department pulls you over, car isn't registered. In 24 hours, we file -- certified mail goes out to you, 24, 48 hours we send you out a mail.

So now you're paying an office person to process the paperwork which was certified mail, $6.70, 30 to 40 minutes of their time to do a research, put it together, send it out to you. At which time we send it out, we get the receipts back, we file paperwork with Motor Vehicles. Condition reports, so to speak, with the value of the car is per NDA, you know, damage to the vehicle and so forth.

At that point we send $10 dollars to Motor Vehicles with all the necessary paperwork and documents to dispose of the vehicle. If the vehicle is okay, once the DMV clears it which is 45 to 60 days later, we're able to dispose of the car.

Average car is 1.4 tons, average scrap price today is $135 dollars. Hundred and fifty bucks you're lucky to get back with and you're losing $700, $800 dollars' worth of towing, storage fees. I mean the fees out of your pocket alone are $50 dollars or more by the time you pay for the help, send out the mail.
The information we're getting, unless the car's registered in Connecticut. We don't get any information back. We literally have to pay an outsourced company. Massachusetts, $3 dollars. Vermont $10 dollars. California 50 bucks. It ranges. It's crazy the money you pay out just so we can follow the guidelines and procedures that are in place in order to get rid of the vehicle, to do the job that you're asking us to do.

SENATOR LEONE (27TH): Thank you, I think that's helpful, it enlightens the members to a degree help -- hoping it for something.

REP. LEMAR (96TH): Questions. Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you for coming to testify and your patience today.

So some basic clarification for me. I get the nonconsensual towing and understand there may be some unintended consequences related to that but when it comes to the money -- so when you are contacted to tow a vehicle, are you getting reimbursed at all?

SAL SENA: If the car gets picked up, yes. If it doesn't, no. That's we're looking for a surcharge to offset it.

REP. DEVLIN (134TH): And if the car's picked up, obviously that's the owner or the person picking it up, their responsibility.

SAL SENA: Correct. Correct.
REP. DEVLIN (134TH): Okay and out of how many vehicles that are towed are not picked up?

SAL SENA: I can tell you on my shop alone, I'm located in Hartford, we're disposing of anywhere between 45 to 85 cars a month. That aren't getting picked up. That's probably, I'd say 20 percent. For a guess, if I were home I'd get exact number. But that -- the numbers -- like I said, people today, I'm not generalizing all together but it's cheaper just to leave your car. "You know, I only paid $250 dollars for it off of Craig's List. And you're gonna charge me $200 to get my car back. Keep it, I'll get me another one."

I already had bad brakes or I blew off the tire, I crashed it already so what's the difference. That's what we're dealing with. And the problem is people sell the cars, they don't notify Motor Vehicles. So I can show you boxes and boxes of certified mail. They go out every day and it's re-send, you know, return to sender or a person calls you, "Hey, I got certified mail. I sold that car two years ago", or "I traded it in at the dealership".

We're trying to offset for the industry's sake, the lost revenue that we're dealing with.

REP. DEVLIN (134TH): So from what you described, though, and what I understand you're seeking is a $10 dollar surcharge.

SAL SENA: Yes, ma'am.

REP. DEVLIN (134TH): But that wouldn't come near covering what your costs would be.
SAL SENA: It would actually offset the $10 dollars that Motor Vehicles charges us to get rid of the car. To file the paperwork. After that. It doesn't cover the $6.70 for each piece of certified mail. It doesn't offset the expense of the office help or, you know, to find the individual. The data bases you have to pay to get the information. It's a fraction of what we're losing.

We figured out it came out to $47 dollars per car. But we all know that's not reasonable. You're not going to get a surcharge of $47 dollars, you know, on a bill.

Ten dollars is a help, it helps try to recoup some of the losses we're taking as an industry.

REP. DEVLIN (134TH): And the DMV charges you that for --

SAL SENA: It's a fine for the title to dispose of the car.

REP. DEVLIN (134TH): Okay.

SAL SENA: We had a meeting --

REP. DEVLIN (134TH): So it's a basic title fee.

SAL SENA: Um, yes. So to speak. At one time, DMV -- actually it was last year. They came in and said, "Hey, your $5 dollar fee, we want $25 dollars" and the justification they gave us was, "Well, we haven't got a rate increase in ten years."

Thanks to your committee, we were able to negotiate it to $10 so it was so simple when you don't get a rate increase in ten years, well we got 19 percent after 11 years for our rate increase. I would love
to get 400 percent and just have the extended time difference.

REP. DEVLIN (134TH): Right. So your other option as you outlined potentially would be to just refuse that kind of work requested.

SAL SENA: Exactly. And it's happening already. You're getting guys who are called out -- "Hey, listen, we've got two cars here", drivers pull up car's in a wreck, "Who's paying for it?" "Well, it's not registered." "Well, we're not doing stuff for free."

And I'm not saying any one particular company but it's started already in the industry. You can't go to work and not get paid for it.

REP. DEVLIN (134TH): Thank you for explaining. Appreciate it, very helpful.

SAL SENA: Thank you.

REP. DEVLIN (134TH): Thank you, Mr. Chairman.

SENATOR LEONE (27TH): Any other questions? Seeing none, thank you both for your time testifying.

SAL SENA: Thank you.

SENATOR LEONE (27TH): Joy Avallone, Raphael Podolsky. We know you have different takes on the opposition but we certainly want to hear from you together on this.

You don't have to marry your two divergent opinions on the opposition, just state them concurrently is the goal. Consecutively.
JOY AVALLONE: Chairman, ranking member, good afternoon. Members of the committee. I am Joy Avallone, General Counsel for the Insurance Association of Connecticut. A state-based trade association representing Connecticut's insurance industry.

I want to thank you for taking the -- for allowing me to come before you and present comments in opposition to Senate Bill 866, AN ACT CONCERNING THE NONCONSENSUAL TOWING OR TRANSPORTING OF MOTOR VEHICLES.

I recognize that you've heard a lot of testimony today and that there's a lot more to go so I will keep my comments as brief as possible. IAC opposes this bill which seeks to impose a new $10 dollar surcharge for nonconsensual towing in addition to rates that were already established and deemed just and reasonable by a commissioner of the Department of Motor Vehicles for the same exact service.

IAC opposes this because it obviously would result in consumers and insurers and in some cases paying rates that are excessive and almost by definition, unreasonable.

Now in considering this issue it's obviously important to consider the difference between consensual and nonconsensual towing. In the case of consensual towing, obviously consumers are able to shop around, compare prices and ensure that they're paying a reasonable fee for the service that they're getting.

In contrast to that, in the case of nonconsensual towing which also results in cases in which there's
a motor vehicle accident and the driver isn't able to drive away, then obviously the consumer does not have the ability to shop around and ensure that they're not getting, you know, taken for a ride.

So in recognizing that there is a potential for abuse in pricing of the nonconsensual towing, this legislature has actually vested the responsibility of setting just and reasonable rates with the Commissioner of the Department of Motor Vehicles.

Now in establishing just and reasonable rates for both consumers and wreckers alike, the commissioner has extremely broad authority to consider a number of factors. And now essentially they're able to consider any factor that could be and that was just presented by the TRPC, in establishing these rates.

So I think it's also important to know that the statute that gives commissioners the authority to set these rates also provides the opportunity for any party to go before the commissioner and challenge -- challenge these rates and ask that the rates be adjusted accordingly with different factors; market fluctuation, etcetera.

And just recently, as was just briefly mentioned, there was a substantial increase that resulted as a result of a petition filed by the TRPC. Now by way of background, that petition was filed in 2017 and the TRPC saw it not only an increase in the rates for nonconsensual towing but also the rates for storage and also an imposition of a new abandoned vehicle surcharge very similar to the one that is reference and proposed in this bill that's before you today.
In support of its petition, TRPC argued many if not all of the same factors that were just presented to this committee. And after careful consideration of all that evidence, the Commissioner of the DMV denied the request to impose this surcharge and also increase rates approximately 20 percent for nonconsensual towing.

So dissatisfied with the decision of the commissioner, TRPC filed an appeal to Superior Court which is now currently pending and also subsequently we see this new bill proposed.

So for the aforementioned reasons, the IAC urges you to deny its request. Or to decline to adopt this legislation.

SENATOR LEONE (27TH): Thank you, Joy, for that great background and a lot of information that are not aware of. Raphael?

RAPHAEL PODOLSKY: Thank you very much. My name is Raphael Podolsky, I'm a lawyer with Connecticut Legal Services and I'm here on behalf of all the legal aid programs.

We come to this from a little different angle because our client base are people who are low income. Who do not have a lot of money, who often have no way -- no real capacity to deal with emergencies. When a car gets towed, they may be in a position where they can't get the car back because they don't have the cash, the ready cash, to pay for it and get it out.

And once the -- the towing company has a lien on the car and so once they have it, they can choose to
hold it and refuse to give it back until you can pay.

Meanwhile, storage rates will start going up so over time, getting the car back becomes more and more expensive. And that has led us to care about what the rules are for what the rates are for nonconsensual tows.

The -- over the last maybe 15 years now I've been part of three hearings at the Motor Vehicle Department when the industry has asked for increases in the rates. And most recent was the one that was just mentioned here which is where the industry got an increase. They got a 20 percent increase in towing rates and they have appealed that decision on the ground that they didn't get all the increase that they wanted.

What's a little bit strange about this particular proposal is that it's for -- to add a $10 dollar surcharge to the very rate that has been determined by the Motor Vehicle Department to be just and reasonable.

So that's the sense in which by definition is not just and reasonable because it assumes that there's already been a determination and it -- the -- and what it ignores is the fact that all these factors including how they deal with abandoned cars are covered by the existing statute.

So the Motor Vehicle Department sets a rate. That rate is gonna incorporate whatever factors were argued by the industry should be the basis for an increase.
So it's not as if these factors are somehow irrelevant and you need to add a surcharge for them. The statute already covers that and then if this bill proposes you add $10 dollars onto that, whatever the department determines is fair, well it'll be fair plus $10 dollars.

To me that seems wrong. From our end it just becomes another way of adding costs to getting -- trying to get your car back when you don't have a lot of money. The years I've come to this committee and tried to get you to create a bill of rights for people whose cars have been towed. The committee has never actually shown much interest in that.

And if the committee were interested, I'd be happy to pull up some of those drafts from past years but we really see how difficult it is. Just as an example, if your car is towed because of a police ticket and you dispute the ticket and you wanna get your car back, you can go through the process with the police department to appeal the ticket but your car is tied up in storage. We don't have a law that says you have a right to get your car back while you're challenging the ticket that led to the tow.

Now the towing company's right to say, "Well, we towed, somebody has to pay for it". But you may end up winning your police appeal but you're not gonna have a car if you didn't have the money to get that car off the lot while the storage charges were going up.

So these are the factors that particularly affect our client base. And the last thing I wanna say is most -- my understanding is towing companies don't
have to do nonconsensual tows. I think they generally -- and you'd have to get more of this from them -- but I believe they typically have contracts with municipalities by which they -- if they're gonna get that contract, they have to take all the nonconsensual tows that are assigned to them on a rotating basis.

They can't pick and choose the ones that they want but they could say, "We're not gonna be a part of the system" but my belief is that these towing companies would have sort of a business problem if they didn't participate in the municipal systems which really says that they are getting enough money out of the system that it's worth their doing it.

And that's -- so I'm not convinced there's an actual problem here. So we -- we agree -- I mean you know that we don't always come in on the same side as the insurance industry but on this one we absolutely agree with them that this is an undesirable bill and we would urge your rejection on this.

REPRESENTATIVE LEMAR (96TH): Some topics make strange testifier fellows. [Laughter] But thank you both for sharing your testimony today and providing a more robust understanding of the issue as a whole on the impacts of the legislation.

Are there any questions? Chairman Leone.

SENATOR LEONE (27TH): Thank you. Thank you both for your testimony. So as we are always hearing two sides to the story, from the other side it seems like they're doing a service, unable to recoup costs, they're not asking for the full cost, just
the $10 dollars to offset the $10 dollars to the DMV for the titles -- title justification.

But from your testimony, from both your testimony, it's all about the just and reasonable cost dictated by DMV and you're saying that there's already a process in place that handles that so therefore this is an over reach of the current process that should normally address this situation, right?

RAPHAEL PODOLSKY: That's right.

SENATOR LEONE (27TH): Sort of what I'm hearing?

RAPHAEL PODOLSKY: And they're using that process. The case -- the most recent case is on appeal to the Superior Court.

JOY AVALLONE: Right and [crosstalk].

RAPHAEL PODOLSKY: And you just mentioned -- pardon? Go ahead.

JOY AVALLONE: And the same evidence was presented during that hearing process and this increase was the result

SENATOR LEONE (27TH): And so -- and then the other concern was well if they're not gonna do this then you're gonna have all these cars that are abandoned littering the streets and the only person -- the only entities that would be responsible for picking up would be the local communities which would be an additional cost to those communities.

Then you're suggesting that that happens already with the current contracts with the towers?
RAPHAEL PODOLSKY: My understanding -- I wanna qualify this by saying that my understanding is that there -- that the towers have contracts with the cities by which on some sort of a rotating basis they're called to pick up cars -- whatever the cars may be. Whether they may have been abandoned, whether they've been parked illegally. I mean it could be any number of reasons why you would have the nonconsensual tow.

And that they seek -- the towers seek out these contracts because it's a significant source of business for them. And the suggestion that they would not tow -- they would discontinue towing. They simply would not tow anymore if they didn't get a certain rate increase.

I guess I just don't think that's true and I think if that -- certainly that's -- they can -- they could appeal a motor vehicle decision that didn't give them enough so that they can stay in business. But I think if -- that's sort of a bluff that you have to call at some point.

I mean I think every industry that's rate-regulated -- you think about the utility companies. You know, it says we can't keep doing this if you don't give us more money. And maybe they get half of what they ask for but they don't get all. And they continue to do the business.

So you have to not allow the -- essentially you have to not allow that threat to be, you know, to lead you to authorize additional fees that are not justified. Or they're being able to go to the
agency which actually takes the hearing, holds the hearing, analyzes the request and concludes what that industry needs in order to be able to do what they're supposed to do.

JOY AVALLONE: If I also may add, there are other remedies that are readily available to them as well in terms of like auction, etcetera. So there are other ways where they could recoup these fees, they just failed to mention them in their testimony.

SENATOR LEONE (27TH): Thank you. Thank you both for your testimony and helpful insight. Thank you, Mr. Chairman, any other questions? Thank you.

JOY AVALLONE: Thank you.

RAPHAEL PODOLSKY: Thank you.


ALEC SLATKY: All right, good afternoon, almost evening, everyone. My name is Alec Slatky, I'm the Director of Public and Government Affairs for AAA Northeast and I'm also here on behalf of the AAA Allied Group. Together the two clubs serve over one million members in the state of Connecticut and I'm here to convey AAA's strong support for the rear seatbelt provision of H.B. 7140. So that's section one of that bill.

AAA has long supported seatbelt laws and in fact Connecticut passed one of the first seatbelt laws in the country back in 1985 but now we've fallen behind because most states, as you heard earlier, do require everyone to buckle up in the back seat but
here in Connecticut only those under 16 years old must do so.

And this has tragic consequences and there's a lot of information in the testimony and I'll summarize it.

Since 2010, according to our analysis of the UConn Crash Repository, more than 50 unbelted rear seat occupants ages 16 and up have been killed in Connecticut. More than 1700 have been injured and you can see those rates spike right when the seat belt requirement expires, right at 16 those rates of injuries and fatalities really start to tic up.

But it affects older adults as well. The oldest casualty in Connecticut was 89 years old this decade. So you know, I'm really passionate about this because these are such preventable fatalities, preventable injuries, preventable tragedies and you know, I -- when I'm driving or my friends or even my grandmother around, I've had to tell my grandmother, I turn around and make sure everyone's buckled up in the back seat.

And you know, that is something that unfortunately a lot of people, while they have the habit of doing it in the front seat, they may not have the same habit of doing it in the back and that's something that we wanna change because we know when you don't buckle up in the back, you're three times more likely to be killed, you're eight times more likely to be seriously injured and you're actually twice as likely to kill a driver by becoming a projectile.

You know, when we teach driver's ed or senior driving, we tell people don't leave loose objects on
the back seat because they'll fly forward if you slam on the brakes at the same speed that you're originally going, an object in motion will stay in motion until acted upon by that outside force. And that outside force could be the windshield, it could be the driver, the front seat passenger.

So now imagine it's not a 15 pound backpack in the middle of the back seat but it's a 150 pound human being. That's gonna make things a lot more dangerous. Certainly the driver's gonna be less able to control the vehicle and to be at risk of injury of death themselves.

And just as wearing a seatbelt is the most effective way for passengers to reduce their risk of injury and death, the passing a seatbelt law is one of the most effective ways that legislators have to enhance traffic safety and states with rear seatbelt laws consistently have higher usage rates and we know that a rear seatbelt law will encourage and successfully encourage people to buckle up.

So we think the time for rear seatbelt law is now, in 2019, and happy to answer any questions.

REP. LEONE (27TH): Thank you for your testimony, Alec, and for the passion you bring to this conversation.

ALEC SLATKY: Thanks.

REP. LEONE (27TH): Let questions rock. Seeing none, thank you again.

ALEC SLATKY: Thank you for your time.

HOWARD PINCUS: Casey is not available today, may I testify in his place?

REP. LEONE (27TH): Are you testifying on behalf of 868 in favor of -- and so filling in the Naugatuck Railroad?

HOWARD PINCUS: Yes.

REP. LEONE (27TH): Are you also on the list at some point later on then? Okay, yes.

HOWARD PINCUS: I'm a little bit further down. Good afternoon, Chairpersons Leone and Lemar. Ranking members. Thank you all for raising Senate Bill 868. My name is Howard Pincus. I am President of the Naugatuck Railroad Company. We operate 20 miles of state owned rail line between Waterbury and Torrington in the Northwest hills of the state.

Last year we moved 70,000 tons of freight and carried over 30,000 passengers. The small railroads in Connecticut, the small freight railroads, provide last mile and first mile freight services for a wide variety of businesses in this state.

From Home Depot to Eversource to small family-owned companies, rail freight is a vital part of all of these businesses. These short line railroads employ dozens of people, spend hundreds of thousands of dollars in our local communities and are careful stewards of the state-owned rail lines that we operate.
We do have skin in this game. Naugatuck Railroad alone has 14 part-time employees and has spent over $500,000 dollars of our own money in the last ten years maintaining and improving our rail line. There has been significant improvement in our line during the last 20 years that we have been operating it.

The efficiencies of rail freight are huge. Each 100-ton load we move takes five trucks off the state's highways. And we move 2400 tons every week.

Increasing rail freight use can quickly start reducing congestion on the state's roads and highways. The studies have already been done. We're ready to make it happen.

Availability of an active rail freight line is an asset that businesses seek when planning to locate a new or expand an existing commercial facility.

Naugatuck Railroad is currently discussing with company -- I'm sorry. Naugatuck Railroad is discussing new customer opportunities with businesses from outside the state looking to locate in the Waterbury/ Torrington Route 8 corridor, specifically because we are an active and customer focused freight railroad.

This act will help the short line railroads improve the infrastructure that is in dire need of expensive upgrades.

For example, we operate over three large bridges that are all over 100 years old. They don't have much more life in them. There's been little capital
investment in these freight rail lines between 1940 and 1990 and we are all playing catch-up.

Neighboring states in New England and in the Northeast have regular funded programs to support their rail freight lines with capital investment. Connecticut has just one small rail freight support program since 1995.

The funds that this act can provide will be used to improve the state's rail freight infrastructure and help make Connecticut more competitive for commercial and industrial businesses.

In addition to Naugatuck's freight operations, we also provide heritage tourist train service in the Northwest Connecticut region. Last year over 30,000 people rode our trains. They came from all over the Northeast -- at least six states at our count -- and this heritage tourism business has become a major economic factor in our region.

Railroad infrastructure improvements will help improve and grow this important --

REP. LEMAR (96TH): Mr. Pincus, if you could just summarize, wrap it up a little bit.

HOWARD PINCUS: Yes, I'm at the end. Other citizens and companies have submitted electronic testimony in support of this bill. I'd be pleased to answer any questions you may have and I respectfully ask that you support bill 868. Thank you.

REP. LEMAR (96TH): Thank you, Mr. Pincus, for your testimony today. This issue and sort of the severe needs of freight rail in particular brought to our attention. Mr. Reilly, I see on the corner has done
a great job of advocating on your behalf and assuring that the committee takes seriously the solution that we find ourselves in with relation to our freight rail infrastructure.

So I do appreciate you coming up today and appreciate Mr. Reilly coming forward and helping us with that. Are there questions for Mr. Pincus?

SENATOR LEONE (27TH): Thank you. Thank you for the testimony but Mr. Chairman is right, it's a good issue, we would definitely want to look into it.

Have you had a chance to meet with the new Commissioner, him being a rail guy?

HOWARD PINCUS: I'm sorry?

SENATOR LEONE (27TH): Have you met with the new Commissioner?

HOWARD PINCUS: Not yet.

SENATOR LEONE (27TH): Okay. I think he would be a helpful person to speak with so that he can weigh in and help guide the committee on what we need to do to improve rails. I would suspect that he would be favorable to some of your comments. Thank you. Thank you, Mr. Pincus.

HOWARD PINCUS: Thank you very much.

REP. LEMAR (96TH): Thank you again for your testimony today. And I think there's no more questions but thank you, you also organized quite a few folks to testify in favor of this submitted. Thank you.

Wayne Weikel? Followed by Leonardo Melendez.
WAYNE WEIKEL: Good afternoon, Chairs, ranking members, members of the committee. My name is Wayne Weikel, I'm with the Alliance of Automobile Manufacturers. The Alliance is the trade association representing 12 of the world's leading car manufacturers who together combine to sell about 70 percent of the new cars on the road each year.

Thank you for your time today on a long hearing. We're here today to oppose House Bill 7142 for it intends to let one new market entrant play by a different set of rules than all of their competitors who are already in the market place.

A lot of the testimony you've heard today was about how great a company Tesla is or how great electric vehicles are. And such discussions are really irrelevant that challenge at hand for legislators. The question now is whether Tesla has to use the same distribution model as every other automaker as required by law.

Let's not forget, nothing in law today precludes Tesla from opening a shop tomorrow. They simply need to follow the same rules as their competitors. But Tesla doesn't want to do that. Tesla wants special treatment and is coming to this legislature for help.

So why does Tesla think they deserve this exemption? Because they're small? Maybe ten years ago when they started. Last year Tesla sold more vehicles than Volvo and Porsche combined.

They also claim they deserve special treatment because they sell a new and different technology. Tesla sells electric vehicles. As you heard from
others earlier today, almost every automaker sells either a battery electric vehicle or a plug-in hybrid or both. This technology is not unique to Tesla.

Tesla also argues that dealers won't wanna sell their electric vehicles. Well, you'll have to tell that to all the consumers out there driving electric vehicles from our manufacturers which were sold through the franchise system.

And it's not like Tesla has even tried to partner with dealers before they came to their conclusion. Understand that Tesla is not special. They just want special treatment.

Proponents of the bill like to point to other states and say, "See, they have Tesla and dealers and manufacturers there are doing fine." And those people sorta misunderstand our principal concern and that is that this bill is bigger than Tesla.

Sure, language in the bill is drafted so that it would appear that it would only apply to Tesla and it does. Until the next company shows up as was referenced -- 60 Minutes last night did a story on all the electric vehicle manufacturers in China right now that are looking to dominate the next hundred years. What is this body going to do with one of those companies decides they want to come here and is talking of jobs and tax revenue and they wanna sell directly. What if it's Apple or Google who have been investing heavily in autonomous vehicles.

My guess is we'll see another bill filed to give another special exemption and guess what -- if you
don't pass that exemption, the state will likely be sued under the commerce clause and the state will likely lose.

By letting one company not follow existing state law, you are opening the door for every other manufacturer that follows to do the same.

It was an act of your predecessors in the General Assembly that established the rules under which our members have developed their businesses including the provision of selling to the consumer directly. Prohibition on selling directly.

We simply believe that there should be one set of rules for all competitors in the same market place and not special privileges granted to a few.

Thank you for considering our views.

REP. LEMAR (96TH): Thank you, Mr. Weikel, for your testimony. There's quite a bit of testimony, as you know, that was inherent on both sides of this issue and we do appreciate your testimony here that provides a different insight than what the dealers themselves or Tesla, of course, are representing.

So we do think that your contribution to this conversation is viable and we really do appreciate you spending time coming here today.

Representative Morin.

REP. MORIN (28TH): Thank you, Mr. Chairman. Good afternoon.

WAYNE WEIKEL: Afternoon. Evening.
REP. MORIN (28TH): Yeah, I guess so. Tomato, tomato at this point. Appreciate your testimony. I've been listening pretty intently to many of the discussions and a couple things grab me. So the discussion that Tesla is a unique or -- I think that's the word they used -- or not your common automobile, right?

Do other auto manufacturers produce vehicles that one would consider to be maybe unique? [Crosstalk] Let me -- let me answer the question -- like an Aston Martin that I can't buy, right, unless I do something different than this.

That's a unique automobile, correct?

WAYNE WEIKEL: I think its competitors would say it's just like everything else but I see where you're going.

REP. MORIN (28TH): So if I want to buy one, do I go directly to Aston Martin and purchase it, do you know?

WAYNE WEIKEL: No, they have to follow the dealer model like every other competitor in the marketplace.

REP. MORIN (28TH): Interesting. You know, it's -- listening to the line of questioning from everybody on this committee, I -- you know, you can pretty much tell where people are. And I wanna say I have friends that own Teslas, they love them.

And I just am trying to figure out why Rolls or Aston Martin or any of the other truly limited production vehicles that are totally different than
what I'm driving don't go through -- or aren't asking us for the same benefit, right?

Because a Rolls Royce is something that not everybody in Connecticut would buy but there are people that do buy them. Why aren't those companies coming and looking for the same exception? Would you be able to answer that or am I asking the wrong person?

WAYNE WEIKEL: Well, I can tell you what Tesla would say. They would say that auto manufacturers, when they enter the marketplace, they chose what distribution model that they wanted to use.

But that's just not true. I mean it wasn't too long ago that no one in this room knew what a Kia was but now we've got Kia on the road. They didn't come in and try to do something different. They came in and followed the rules as they are drafted.

And you know, to your point of, you know, the really high end manufacturer, sure, it's a -- they do not work on volume. They work on a very curated and discreet business model but they still have to follow the same rules.

And that's why -- that's why we support -- we represent competitors who are, you know, we sit around the table, they're each their own main competitor.

So the only thing that they want is that everyone play by the same rules. That we may not like the rules, may not agree on the rules but at least everyone's playing by the same rules.
REP. MORIN (28TH): So I'm glad you brought that up because there are many people that are saying the rules are antiquated, should be eliminated, right? I've heard people say that. So why -- if this model seems to be working for many producers, automobile producers, why are they not clamoring for this model to go away. What's -- why wouldn't other manufacturers want to just get rid of the dealer model and lobby us to do so?

WAYNE WEIKEL: Sure, it's -- I understand -- if I can use an analogy, it's tough to un-ring a bell. And I'm -- these manufacturers have built their business based on the laws as they were drafted. And that business development has, you know, to the tune of hundreds of millions of dollars invested.

It's tough to just, you know, hit pause and change direction and decide they're gonna do something different.

REP. MORIN (28TH): I appreciate you taking the time to answer and come testify. Thank you.

REP. LEMAR (96TH): Are there any questions for Mr. Weikel? Seeing none, thank you again.

WAYNE WEIKEL: Appreciate the time.

REP. LEMAR (96TH): Leonardo Melendez.

LEONARDO MELENDEZ: Good evening, Senator and Chairman, people. I'm here based on the bill 7140. I belong to the Soul Seekers Motorcycle Club. I've been riding a motorcycle for 44 years and I think the rider should decide. And that's why I'm here, I'm here to represent my club. They couldn't be
here because they all had to work, I've been here all day.

I head from the CMRA and he had a lot of good points, Richie. Matter of fact he had a lot of points that I was gonna bring up. But because he brought them up, I'm not gonna bring them up.

I'm just gonna bring up my own situation. I would say on a hot day, 97 degrees down in the old campus, it's really hot. If I had a helmet on, it would limit me for my vision and to be able to really maneuver my bike. I probably would get in an accident with the -- with the helmet on.

However, my son -- my son, he gets on the motorcycle and he will not ride a motorcycle without a helmet. So on that note, I think that the rider should decide. It's always been that way in Connecticut and that's why he lives here in Connecticut.

So, like I said, I'm here and representing the Soul Seekers motorcycle club because they couldn't be here because of work. Matter of fact, I took the day off to work this out.

So like I said, a lot of the things I wanted to say was already said by the CMRA representative. So I stayed so I could be able to say this to you.

And I feel the rider should decide.

REP. LEMAR (96TH): Thank you, Mr. Melendez, for your testimony and for sticking it out this long.

LEONARDO MELENDEZ: Appreciate it.
REP. LEMAR (96TH): Any questions for Mr. Melendez? You do? I think we might have some questions for you. Just hold on just a second if you don't mind.

REP. DEVLIN (134TH): I'm trying to find the other testimony. Thank you, Mr. Chairman. Thank you for being here all day to testify and share your views.

I was trying to find the testimony from the other group that spoke to us today that's in my pile here somewhere.

So I understand your position that it should be the rider who makes the call on whether or not you should wear a helmet.

LEONARDO MELENDEZ: Yes.

REP. DEVLIN (134TH): And then we heard from five individuals who spoke about the medical consequences and the accidents and that because of that, to even prevent -- I think it's 200 and some odd deaths each year in the state of Connecticut, that we should mandate helmets.

Does the risk factor have any influence on you? I mean clearly your son came to a different decision.

LEONARDO MELENDEZ: And that's why I say the rider should decide. A lot of those accidents, probably a helmet wouldn't have helped them either. It depends on the situation and like I said, I've been in situations where if I had a helmet on, I might've got in an accident. It's because of my vision, being able to see and being a natural rider that I was able to maneuver out of certain situations.
REP. DEVLIN (134TH): Thank you. Thanks for explaining that for me, I appreciate it. Thank you, Mr. Chair.

REP. LEMAR (96TH): Chairman Leone.

SENATOR LEONE (27TH): Thank you, Mr. Chairman and thank you for sticking it out and sorry that you had to miss work but this is an important issue and we appreciate you doing so.

So you mentioned -- I think you kind of lay out the pro and con here that we're struggling with because you're right about the freedom of choice, the rider should decide but then the opposing point of view is not just about the freedom of choice but the impact it may have on a family member if you were to get into an accident or God forbid end up with a TBI, traumatic brain injury where you were no longer able to care for yourself.

And it just gives me pause because you have your son, a family member, who chose the other direction to wear a helmet and if you were to get ill and get hurt, then he would have to deal with the consequences of you being in that state which I'm sure he doesn't want to do.

And so there's a -- there's a cost there not only to him but to you and then to the state and everyone else that has to contribute to the care.

So that's what we're trying to figure out where we need to go in regards to this. And I don't think you're looking to get into an accident but if you were to have gotten into an accident, a helmet, in all likelihood, if you were to hit your head, you
have a better chance of surviving than without even though you're able to state that you probably wouldn't have been in an accident in the first place. But sometimes that does occur.

So not that you have to answer a question, if you wanna weigh in on it, that's fine but that's sorta what we're struggling with in terms of giving someone who is an adult to make their own choice as they see fit but then it's us that ends up with the after effects if the situation isn't a positive one. And that's when we get the calls to weigh in on something such as this.

So I just wanted to bring that -- because your situation sort of, to me anyway, showcases both dilemmas that we're trying to deal with.

LEONARDO MELANDEZ: Thank you, Senator.

REP. LEMAR (96TH): Thank you very much again, today. John Schnabel? Samantha Dynowski and Amy Salls.

SAMANTHA DYNOWSKI: Senator Leone, Representative Lemar, Senator Martin, Representative Devlin and distinguished members of the committee -- my name is Sam Dynowski, I'm the State Director of Sierra Club Connecticut and I'm here to testify on behalf of Senate Bill 417 and House Bill 7142.

We are faced, as you know, with a major issue of climate change. Two reports last year out of the United Nations and our national climate assessment really highlighted the urgency by which we have to act.
Here in Connecticut last year we have taken some action, some really positive action to make sure that we're ramping up clean energy in the state with the renewable portfolio standards that requires 40 percent of our energy to come from clean and renewable sources.

And we also, on the other side of that, have a set mandate to reduce our greenhouse gases and quite extremely.

And so we're looking at bills this year through this lens. How do we now, with those -- those targets in place, how do we reach them? And the Sierra Club thinks that the two bills that we're testifying on here can help us do that.

In terms of Senate Bill 417, this has a great potential. Sighting solar on the side of our highways is done in other states nearby and I won't read from my testimony but you can see here what's happening in other states. I would say this bill is a study.

There's another bill also before the legislature, 468 that would allow the sighting and we recommend including in this bill allowing sighting of solar in addition to the study.

And Amy will talk about --

AMY SALLS: Thank you for taking us as a duo. We're trying to help you move along quickly.

My name's Amy McClain Salls, I'm with Acadia Center and I'm just gonna say that we are very, very much in support of House Bill 7142 and we think that because of everything that was just cited by Sam
regarding our climate change goals, there's one thing that I wanted to mention that you had a question about earlier and I just think this might help.

Recognizing the environmental, the many environmental and economic benefits of EVs, Connecticut committed with other states in the Northeast to put 1.7 million zero emission vehicles including EVs, on the road by 2025. About 155,000 of which will need to be registered in Connecticut.

Given that about only 7,500 EVs have been registered in the state since 2011, a significant sales increase will be needed to reach the final goal.

By increasing consumer access to the additional EV models through direct sales, this bill will boost EV registrations in Connecticut and therefore is a critical piece of our state's clean energy future.

So we wanted to let you -- I think there was a question earlier how many do we have on the road. I wanted to answer that for you and I'm happy to take any questions.

REP. LEMAR (96TH): Thank you both for commitment to this issue and for coming up and testifying on both. Are there questions? Representative Steinberg.

REP. STEINBERG (136TH): Thank you, good to see you here, I missed all of your testimony but that won't stop me from asking questions. [Laughter]

AMY SALLS: That's okay.

REP. STEINBERG (136TH): I can kind of anticipate where you might have been coming from. You make
some good points about how important the transition to electric vehicles is to our much broader climate change agenda. You're obviously familiar with the Governor's climate change council goals which I could not be more aghast at the stark contrast between our goal reaching 70 percent electric vehicles by 2050 and the fact that we seem to be at roughly one percent in the state at this point in the game.

What's the path? How do we get from here to there?

SAMANTHA DYNOWSKI: Well, there's a lot we're gonna have to do to get there. It includes both making sure that there are charging -- there's charging in place because in order for folks to adopt electric vehicles at the rate at which we need them to, they need to know that they're gonna be able to charge their vehicles and get from place to place.

There's a number of bills before the legislature this year that will help do that. There's another bill that will address the state fleets so that the state can lead by example and ensure that the purchase of vehicles by the state, light duty vehicles and transit buses that we ramp up our purchasing of zero-emission vehicles on that front.

And building codes is a way that we can ensure in the future that we future proof for electric vehicles. So as consumers take on electric vehicles, that they won't incur massive costs to retrofit their homes.

If they're already doing -- building a new home or doing a major renovation, the building codes bill
would require that they put in a place -- wiring -- that would make their parking spaces EV ready.

AMY SALLS: And also the cheaper program which is the incentive program that exists right now that incentivizes people to buy EVs. We feel as though that needs to find a permanent source of revenue so that the folks that really do wanna buy these and makes it more affordable for them. And we do need to keep those types of incentives in place.

SAMANTHA DYNOWSKI: So there's really not one thing that's gonna magically bring a lot of EVs into the -- into Connecticut and on the market. But we think there's a whole suite of things that we need to be thinking about and putting in place to make that happen.

REP. STEINBERG (136TH): I totally agree. Many of these bills are before either energy or environment and I encourage all my colleagues to get up to speed on them because I think they're either gonna be part of a green new deal or there are gonna be things that we wanna do in order to meet our objectives.

Thank you very much. Thank you, Mr. Chair.

SAMANTHA DYNOWSKI: Thank you.

REP. LEMAR (96TH): Thank you. I highlight for you that Wednesday's public hearing in this committee has that bill which would require the state of Connecticut to more aggressively purchase its fleet and transit buses and have them act -- be zero-emission transit as well. So thank you for your testimony on these bills. I hope we'll see you on Wednesday as well.
AMY SALLS: You'll see us on Wednesday.


SENATOR LEONE (27TH): Quick question. So and I understand the -- thank you for the testimony -- I understand the support on the environmental issue which I think it's the right thing to be doing. I just wanna be clear. You're not weighing in on the issue with the franchise laws between the Teslas and the dealership, right? This is all about a green vehicle being allowed to be purchased so that we can contribute toward zero emissions or are you weighing in on them being allowed to sell their vehicle in a different format than what currently exists?

SAMANTHA DYNOWSKI: We are weighing in on direct sale as one way to increase electric vehicle sales in the state.

AMY SALLS: As are we.

SENATOR LEONE (27TH): Thank you.

REP. LEMAR (96TH): I have a quick question to that if you don't mind. There's been, you know, conversations that our traditional manufacturers are actively engaged in this market and are, you know, taking this seriously and they're, you know, coming up with different models in the next few years we'll see in the marketplace and this consideration is unnecessary.

Have you recognized that kind of commitment from our traditional manufacturers in the past?

SAMANTHA DYNOWSKI: I think all signs are pointing in the direction of electric vehicles including
manufacturing, especially what we see happening more so overseas.

But weighing all of that, and we think we need a lot of different strategies to address the issue of accelerating the adoption of electric vehicles.

REP. LEMAR (96TH): Thank you and part of my concern has been, you know, when the term administration decide to roll back the fuel efficiency standards. When they rolled it back, they did so with the support of manufacturers and retailer's associations across the country. Thank you.

AMY SALLS: Well, thank you for being so open-minded and taking all those questions and listening to the testimony because I learned a lot here today just by listening to it myself. So thank you.

REP. LEMAR (96TH): Senator Martin.

SENATOR MARTIN (31ST): Thank you, Mr. Chair. So I grew up in a construction family, did a lot of renovation work, new housing, multi-family housing in addition.

So you mentioned changing zoning regulations or building codes. Can you elaborate a little bit more on that because you know, that -- if someone's gonna pull a permit or going to do a retro in their home, add an addition, are you saying that you would want these codes to apply even though they may not have an electric vehicle?

SAMANTHA DYROWSKI: I don't want to take us too far off a bill that's not on the agenda today but there is a bill before the Planning and Development Committee that would do that. And it doesn't
require that you put in all the charging infrastructure but readies the space for the future possibility that a charging infrastructure would go there.

SENATOR MARTIN (31ST): So maybe you can address that. What do you mean by that?

AMY SALLS: Well, so we think -- the research that we've done modeling on this and is new construction only or a major retrofit would be the caveat there and it would be wiring that would enable there to be an electric -- to an EV -- that would -- and then the cost issue is we've estimated about $300 dollars on a $1,000 dollar kind of retro.

So it's about a $300 dollar more of a hit. Not much -- not much money at all to actually enable a house even if you don't have an EV.

SENATOR MARTIN (31ST): I -- I'd just seen this before and where we were asked to put in a sewer line, water line -- there a dry. And knowing that's what they wanted, we put it in and here we are 20, 30 years later and there's still no water coming up to that area of that town -- of the town.

So you know, you're -- I hear what you're saying, I understand it but it's -- you're asking somebody else to pay for that now in hopes that they may be converting to an EV home or EV purchase.

AMY SALLS: Right, I understand but I think we also know the direction we're going in and that suite of things that Sam was just talking about, it has to sort of, you have to apply a little bit of
consistent pressure there so that we do move the ball. I guess that's our opinion.

SENATOR MARTIN (31ST): Thank you.

REP. LEMAR (96TH): Thank you. I think you have a sense of -- because that bill's not before the transportation committee. Thank you both for your testimony.

AMY SALLS: Thank you very much.

REP. LEMAR (96TH): Barry Kresch.

BARRY KRESCH: Thank you Representative Lemar and Senator Leone. I'm here to offer testimony in support of H.B 7142.

My name is Barry Kresch, I'm a 30-year resident of Westport and a member of the EV Club of Connecticut. I have been driving a Chevy Volt since 2012 and I thank you for the opportunity to testify.

I participate in the EV club because the electrification of transportation and decarbonizing the grid that powers it is part of addressing the threat posed by climate change.

I applaud the action taken by Connecticut in signing onto the multistate ZEV action plan. We must do everything we can to achieve the ambitious goal it sets forth of having over 500,000 EVs registered in the state by 2030. You just heard the interim goal of about 150,000 by 2025.

As of January 1st of this year, there were 9,289 registered EVs. This is a number that was issued by the DMV and vetted by DEEP.
We have a long way to go and we need to allow direct sales by companies invested in selling EVs to have any hope of getting there.

The hopeful part of the 9,289 number is that it represents a 78 percent increase over 2017. Nationally with a market share of 1.1 percent of all light vehicles sold in 2018, Tesla sold 53 percent of all EVs and 80 percent of all battery electric vehicles.

In December, they accounted for 65 percent of EV sales and 88 percent of the EV sales. If we look at this from a growth perspective, there were about 161,000 more EVs sold nationally in 2018 than 2017. Tesla sold about 141,000 more vehicles in 2018.

So you can do the math. In a market that grew 81 percent, there were five makes -- Chevy, Ford, Fiat, VW, Hyundai -- that had lower EV sales in 2018 than the prior year.

Furthermore, it has been reported in the New York Times, Finance, Forbes and other publications that many dealers don't make an effort to sell EVs. The Sierra Club did a secret shoppers study a couple of years ago that had similar findings.

The following is an excerpt from an email that was recently left in the club's email box. "I would like to buy an electric car. My question is, would you have a list of car dealers that promote electric cars? I noticed that dealers often don't have inventory of electric cars even though their website says otherwise and/or are not knowledgeable/interested in electric cars."
And we did give him some recommendations because despite my talking about Tesla, our club is brand agnostic. We want everyone to be successful in selling these -- in selling EVs -- but erecting unnecessary barriers to sales will keep us from attaining goals in the ZEV plan and we would like to see the dealers compete in the showroom rather than the legislature.

I thank you for your time.

REP. LEMAR (96TH): Thank you for your testimony, Barry. Actually that was a Sierra Club report that I was actually hoping the prior testimony would reference.

And I think that is something that has resonated. Let's be honest, the dealership model and the franchise model has actually been remarkable successful in pushing innovation and safety in a variety of different ways. Like a really great consumer protection model for so many of our residents. It has spurred innovation in so many other ways that I think we're all, you know, hesitant to just throw it away, right. Like it works on so many levels.

But here we are and we have this different experience that you highlighted through that report where it hasn't helped push electric vehicles and zero emission vehicles to market as quickly as they could. And a traditional model has failed in meeting the consumer demands that we are recognizing, what the Sierra Club report recognized and nationally we know is deficient.
So I appreciate you highlighting that and bringing your concerns forward. Thank you, Barry.

BARRY KRESCH: Thank you.

REP. LEMAR (96TH): Representative Steinberg.

REP. STEINBERG (136TH): Thank you Mr. Chair. Very good to see you. I'm playing hooky from the Public Health hearing next door and I came over here and I still have to refer to you as doctor, so you know.

BARRY KRESCH: [Crosstalk] escape.

REP. STEINBERG (136TH): I'll follow up on the point that our good Chair made. I don't know about you but I noticed the number of car ads on the Academy Awards last night. One luxury car maker after another decided to put new ads out there. Expensive as the Super Bowl, I got that sense.

But I find it interesting in this country, not one of those ads has anything to do with electric vehicles. And I'm wondering how much of this is a self-fulfilling prophecy whereby the dealers bemoan the fact that we're not selling any electric vehicles but I see scant evidence that they're promoting electric vehicles.

So how are we gonna get there if -- to your point, based upon your secret shopper description -- there's all this talk about Volvo selling half their cars are gonna be EVs and all the manufacturers are getting into it but I don't get the sense the retailers are actually trying to sell them.

So how are we gonna get from here to there unless there's more manifest evidence that the dealers are
seriously interested in transitioning to the electric vehicle model?

BARRY KRESCH: My sense is just speaking as a consumer and a club member, I'm a customer of a conventional dealer. I've had -- this is the second Volt that I've owned.

But it frustrates me to see a lack of effort on the part of the car companies to market these vehicles and on the part of the dealers to sell them.

And if you participate in EV Facebooks to the degree that I do, you know, they're aflame with all of these kinds of sentiments. And it was the traditional automobile companies that invented what became known as the compliance car. A car that they produced just enough of so that they can continue to sell in the carb states.

Right, but that's not really being supportive of electrification of automobiles.

REP. STEINBERG (136TH): Totally agree. Thank you, Mr. Chair.

REP. LEMAR (96TH): Representative Morin.

REP. MORIN (28TH): Thank you, Mr. Chairman. Thank you for coming and staying so long.

BARRY KRESCH: Yeah, thank you.

REP. MORIN (28TH): I have a question. You own a couple -- you've said you've owned a couple Volts?

BARRY KRESCH: Yes.

REP. MORIN (28TH): You know, sometimes I think I get the mission, I happen to agree with the good
Representative sitting next to me on the goals and what we should be doing for the environment.

But if you were gonna buy -- give me a comparison for the cost of a Volt versus the cost of a comparable smaller vehicle. Are they close or is there -- because a lot of -- and I'm -- where I'm going with this is sometimes I think there's economics at stake. For people that are socially conscious, they might be willing to make the purchase and spend more for the overall good.

But there's many people that don't have that -- lack of better terms -- luxury.

BARRY KRESCH: So the Volt that I bought had an MSRP of about $35,000 dollars, right. It's the same size as a Chevy Cruze which costs about $23,000 dollars or $24,000 dollars. I did get a $7,500 dollar federal tax credit. I got a $3,000 CHEAPR rebate. I got $500 bucks from my Costco membership and another $500 dollars that KARL Chevrolet offers to members of our group.

So I paid the same money as I would have for a Cruze. And according to Blumberg New Energy Finance, the cost curve of EVs and conventional cars will cross somewhere in the vicinity of 2025 to 2028. So then that's gonna be a different economic conversation.

REP. MORIN (28TH): So that's an interesting point and we were talking about -- you say there's a $7500 dollar rebate, was that from the federal government?

BARRY KRESCH: It was a tax credit and that's federal.
REP. MORIN (28TH): Tax credit so what -- what's happening with those? I've been led to believe that they're --

BARRY KRESCH: It still exists from the time --

REP. MORIN (28TH): For the same amount?

BARRY KRESCH: However, there's a cap of 200,000 units per manufacturer. So Tesla was the first manufacturer to hit the cap and they hit it in July. And then they're allowed to retain the full credit for the subsequent two quarters, then at halves for the next two quarters and then it will go away entirely for Tesla in the middle of this year.

REP. MORIN (28TH): Right.

BARRY KRESCH: Chevy has hit the cap. I think they hit it in December so they've got one more -- so they'll be at full cap until April and then it'll start to phase out.

REP. MORIN (28TH): I appreciate your advocacy and then your great knowledge of this and thank you for testifying. Thanks.

BARRY KRESCH: Thank you.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. And thank you for your testimony today. Thank you for being up here in Hartford. Just another [Inaudible 06:38:46] question.

In addition to the economics, right, because we go to the beautiful EV showcase that's held in
Fairfield to see all these fabulous cars and the enthusiasts who are talking about them.

BARRY KRESCH: I thought you looked familiar.

REP. DEVLIN (134TH): [Laughing] Yes. And while I don't own one, several of my friends do so what's the -- what are the behavior changes, right? Is it -- we talked earlier about the charging stations and Tesla's being great about putting in their own exclusive ones but if I drive a Volt, that's not gonna help me because theirs are exclusive to Teslas.

So if you drive a long distance or -- I don't know, what would be some of the consumer behavior changes or things to overcome to be able to sell more cars?

BARRY KRESCH: Well, it depends on -- it depends on the car that you buy. The Volt is a plug-in hybrid so it's rated for 53 miles of electric range and then another 370 miles on gas at 42 mpg.

So if I drive a long distance, I just pull into a gas station and fill up. If I were only driving a battery electric vehicle that didn't have access to the Tesla charging network and I was driving a long distance, it requires a little bit of risk and a lot of planning because the infrastructure just isn't there yet.

And even as a driver of a Volt, I try and maximize the amount of miles I drive on electric. I'm currently at 72 percent. There are people with -- plenty of people with higher numbers than that. So I do make an effort to look for charging stations if I'm out of town.
And one of the other aspects of how this all gets regulated eventually is that often these spaces are not policed. You have ICE -- you know, I'll check the ap, it says the space is available but an ICE vehicle is sitting there. It says it's available because the -- it knows the plug isn't being used. Or a car sits, may sit there for an extended period of time even after the battery has been full.

Or the space is incorrectly listed and it's a private space, you know, it's for residents of a building or tenants.


BARRY KRESCH: So it's a fluid situation and it needs to get better.

REP. DEVLIN (134TH): Maybe my next vehicle but thank you, I appreciate that.

BARRY KRESCH: Thank you.

REP. LEMAR (96TH): Thank you so much for your testimony today. Doug Low?

DOUG LOW: Well, thank you, Chairman Leone and Chairman Lemar, ranking members, honored members, distinguished members of the committee. Appreciate the time to testify before you today and I won't read the testimony but I am another railroader. You spoke with my colleague in the industry, Howard Pincus of the Naugatuck Railroad earlier today.

I am Director of Marketing and Sales for three of the additional railroads that operate portions of Connecticut's freight rail network.
We're here to testify in support of both 868 and section -- where is it, section four of bill 7140.

First, the 868 we think makes good sense because it continues to provide the means to protect Connecticut's existing investment in the lighter down city portions of the freight rail network such as Mr. Pincus described.

We all the operating -- the operators in the freight rail system, we maintain and run those sections of rail lines but some of these expenses are particularly large and there is various -- there's help needed to cover some of those projects whether they're bridge replacements or they're out-and-out upgrading of lines.

The first point, meaning the current capital needs is the Naugatuck's been investing over half a million dollars in their property. You mentioned there's some things that are just beyond their ability and if a bridge goes, your line's cut and the utility is gone.

And the state's already invested in preserving a line that was deemed as necessary for the public good even though it didn't provide its sole support from its online business. Rather than lose it, the state bought it some 45 years ago and the -- the opportunity to put some collective money behind some of these repairs helps keep those pieces of the network and there are several operators in the state around lighter density state-owned DOT owned lines.

The second part is in the carriers that are blessed with heavier traffic -- New England Central,
Providence and Worcester, CS or Connecticut Southern -- are among those carriers.

We still face projects that are beyond our financial means to do ourselves. Connecticut's Department of Transportation and its Washington contingent have been particularly artful in their ability to go forth and nab for Connecticut competitive funds available through the US DOT for upgrading rail lines.

Various names over time but generally known as the TIGER grants, Transportation Investment Generating Economic Recovery. The New England Central is in the process of using that money which was secured through the grant application being chosen to upgrade the line between the State Pier at New London and points north to 286. We just got a grant for the Massachusetts segment to put the whole network in that category.

So the useful part now in this and what Connecticut offers with this 868 is a source of funding to help now encourage economic development in the way of connecting potential large freight generators to the upgraded rail network. It's either upgrading existing companies and help ensuring that they stay in Connecticut and don't reinvest their scarce capital somewhere else.

I'm not saying Phelps Dodge or Freeport-McMoRan, Copper and Gold, whichever name you use is planning to leave but they have to look at their copper mills and say, "Okay, all of the things being equal, we can't -- we're not gonna run them all but that bill in Connecticut, there's a lot going on to support
that in terms of the state's economy. That's one we're gonna invest our own money in."

Another area competition the state is involved with is through the Department of Economic Development and that is the ability to help fund private sighting connections for new bills and the effort to attract employers. Manufacturers and distribution warehouse companies that would scale, that are large enough to have freight rail as being on their list of must-haves for site selections. And their must-have has gotta be the 21st Century standards which leads to the third point.

Bit by bit we're upgrading together with the state and the operators this freight network to the modern 21st Century standards. So we're part of the North American freight rail network and not an island to be handled as an exception although we have the light-load freight cars, they have to be smaller cars which exceptions are just the anathema to economic efficiency.

So the other bill, 7140, Operation Life Saver as Connecticut's railroad activity does increase and particularly as more passenger rails moving, it only makes good sense to -- for the state to avail itself of some of the resources that are available nationally through the Operation Life Saver initiative to leverage investment that's already been made and materials and practices and outreach to expand Operation Life Saver in Connecticut beyond its recent years.

It's been more of a motor -- highway safety aspect and worker -- roadside worker initiatives to also
look at grade crossing safety whether you're a
cyclist or motorists or pedestrians and even
trespassers. Unfortunately there's a lot of people
who like to walk their dog along the track. It's
just not a great idea.

So we're in support of both my railroads and the
Connecticut Railroad Association are in support of
section four of the 7140 for the Operation Life
Saver proposals.

Thank you, I'll be glad to take any questions.

REP. LEMAR (96TH): Thank you very much, Doug, for
your testimony and for hitting the one section of
7140 that hasn't been covered by anyone else.
Appreciate that.

DOUG LOW: I didn't wear my Letterman's jacket.
[Laughing]

REP. LEMAR (96TH): And again we heard quite a bit
about the challenges of commercial rate haulers have
and commercial freight haulers have right now and
Mr. Reilly came in and quite clearly demonstrated
the need for additional bonding funds to be made
available if we're going to capitalize on the
existing businesses that rely upon it and the
potential growth that we have.

And there's quite a few folks here who are very
familiar with passenger rail and the economic and
social benefits that provides where investments from
our state are targeted and can really improve the
economic capacity to our state.

But the role that the freight rail provides is well
understated and under -- not as well understood and
so I appreciate you coming here today and sharing this.

DOUG LOW:  My pleasure.

REP. LEMAR (96TH):  Any questions?  Thank you, Doug.

DOUG LOW:  Thank you.


ABULKHARI ISLAM:  My name is Abulkhari Islam and I'm a resident of Glastonbury and I'm also the founder and CEO of AIG [phonetic] who is the consulting engineering firm in Middletown.

First of all, good evening Chairman Lemar, Chairman Leone, ranking member Devlin, ranking member Henri and distinguished members of the Transportation Committee.

I thank you for the opportunity to speak on behalf of House Bill 7140. I support the establishment and operation of the Lifesaver program designed to reduce the number of accidents at railway crossings and to increase public awareness of railroad crossings. This bill before you today can help accomplish those goals.

I'm also the owner of the home grown Connecticut-based consulting engineering firm that provides a variety of professional engineering and inspection services primarily to the Connecticut Department of Transportation.

My firm was started by my wife and I 28 years ago in our basement in Trumbull and has grown into a multi-state regional consulting engineering firm headquarters in Middletown.
We currently have 195 employees of which 125 live and work in Connecticut. My first primary client is the state DOT. The selection process followed by the DOT is based on the requirements contained in the federal Brooks Act of 1972. The Brooks Act and Connecticut general statutes both set forth the criteria for selection of consultants like my firm. The selection process is known as qualification-based selection or the acronym QBS.

This selection process is mandated for the selection of professional consultants for all projects with federal funding.

Currently the DOT is using its selection system that includes limitations based on two criteria -- one is called a five percent rule which is basically workload while in cap for any one single firm of the backlog of three years for the DOT work and a six-month rule.

In particular, the six-month rule was set up by the DOT in an attempt to comply with the Brooks Act of the way that it's being applied as an absolute rule is not complying with the intent of the Brooks Act.

The Commissioner of the DOT has the legal authority to make the final selection of consultants under the Brooks Act and he can exercise discretion in making those selections.

The current mandatory application of the six-month rule by the department does not allow the commissioner discretion when making a selection based on a short list that contains a firm that was selected on a prior project within the last prior six months regardless of the size of the contract.
The way the six-month rule is being applied needs to be reviewed and modified in order to allow local Connecticut-based multi-disciplined firms like mine to compete on a regular basis for state projects.

I respectfully request that House Bill 7140 be amended by adding to it the provisions of Senate Bill S.B. 716 and that a full review of the transparency of the consultant selection process by the DOT be addressed by the General Assembly.

I've also submitted a written testimony today on this matter for your review and consideration. Thank you very much for your time.

REP. LEMAR (96TH): Thank you, Mr. Islam and thank you for your commitment to the state of Connecticut and the business that you've grown and the scores of people that you employ in our state. Thank you. Are there any questions for Mr. Islam? Chairman Leone.

SENATOR LEONE (27TH): Thank you, sir, for your testimony and as I'm reading through your testimony on the six-month rule, have you -- so you would -- you're currently not able to participate because of how this six-month rule is being utilized? Is that what I'm hearing?

ABULKHARI ISLAM: Yes. See, we have 120 people in the Connecticut office alone and while we have other DOT clients all over the region, the entire Northeast and New York.

But our main Connecticut client is DOT because that's the kind of work we do, bridges and highways and all that stuff.
So what happens when you practice this design, inspection, evaluation, hydraulics -- anything to do with bridges and highways, we have a big staff. So if a six-month job comes in and you have to wait for another six months regardless of the size of the job, of the fee, then it really hurts you. And that's exactly the statute you will see.

Only certain times the department has a criteria that they don't want to apply to six-month rule on certain projects which is completely at their discretion.

My position has always been with me talking to my folks at the DOT, many of them good friends, professionals that I've known over the last 32 years is that why keep the rule because the Commissioner has the discretion. We're not questioning that. That's by statute.

So this is another layer of things that does not allow a local firm that is growing at its full speed. We have created, from me and my wife, two jobs in 1991 to 120 people just in Connecticut in terms of the work that we do. A lot of support staff, not just engineers. We have 57 licensed professionals in that building.

So with that kind of growth and potential, growth that we have seen, duty becomes our main, you know, arena. But the six-month rule has hampered us. You know, we couldn't go after the work because it has been applied in the last, you know, several years. It was not there before. I've been a DOT consultant for almost as long as I've had the business, 28 years.
SENATOR LEONE (27TH): So if the Commissioner has the discretion, is it because the previous commissioner didn't want to change the protocol?

ABULKHARI ISLAM: Yeah, we saw him zillions of times, Redeker. Redeker wants to have basically EC which is the Representative of the Consulting Engineering Community here and I'm not talking anything bad about anybody, you know, I'm a member of ECC. They have not taken the agenda and that has forced me to be as a citizen as a businessman to come here alone for my firm.

It should have been an agenda of the ECC Connecticut and I talked with them, I reasoned with them. They never did that. And so did the Commissioner say that, "You should be coming from ACEC". I've been doing that for years. Nothing happened.

SENATOR LEONE (27TH): Okay. Looks like we may have to do a little work on this issue to find out what the reasons are or are not. There seems to be a process in place but it doesn't seem to be a process that is helpful to you so the question is do we need to change the process.

Now we have a new Commissioner coming in, have you had the chance to meet and speak with him on what he may foresee as potentials?

ABULKHARI ISLAM: I did. Joe Giulietti, from the, Metro-North. Great guy saw him at a CBC conference only not just one-on-one because he just took over.

So we have a lot of hope with regard to streamlining the process and creating more transparency with regard to almost like a billion dollar worth of
consulting work for three years. You know, that this DOT does. They have the five percent cap, too, and a lot of out-of-state firms.

And they're all great firms, I'm not complaining here but I'm the local job creator and all the news that we see and all the people that we have, you know, I said, "You know, our own DOT. You know, it's just not very receptive with this six-month rule. Because that'll open up the door. No guarantee that I'll get every job but I will have an opportunity to put in a request to do that, you know. And that restricts us, the six-month rule.

SENATOR LEONE (27TH): And I don't know if you're able to answer this question but why has the ACEC not helped you or helped weigh in on this -- on this question? Why are they -- why are they resistant to testifying?

ABULKHARI ISLAM: Very interesting question. Because of the fact that, you know, I must say that coming from a minority business and starting a successful business like me, we're no longer a minority set aside, we're a reasonable firm -- is that we've never been able to be -- be, you know, folks that have social networking and all that, you know, with the DOT.

So what happens many times you get the information who is in, who is what but it does not impact them. A lot of those people that have been doing good work but they're sort of not, you know -- so you know, I'm an outsider. You know, we do work and they like our work. Our performance speaks for itself.
So it does not hurt them that much. I have just talked to them so many times. I've been on the Board of Directors for the ACEC, you know, and I brought that to their attention, they didn't pay any attention. I said, "I just want an audience with the committee that talks to DOT frequently." I was not.

I'm still a member of the ACEC. ACEC is a good organization, I'm not complaining but it's the Connecticut chapter that has not taken this case despite my several requests going back two years.

SENATOR LEONE (27TH): Thank you. That does raise some questions and we appreciate your testimony. Thank you very much. Thank you, Chairman.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. I just wanted to thank you for bringing this to our attention. So you know, you offered a very specific example and besides the issues that you're concerned about which is potential of appropriately being awarded work that would come from a local company, which is wonderful, it is also disgraced, you know, the potential issue that does the DOT have the rules in place that enables it to find the best outside contractors and operate in the most efficient way.

So I'm glad our Chairs also are interested and we'll pursue additional conversations on this. Thank you.

KEVIN BORRUP: Senator Leone, Representative Lemar, members of the Transportation Committee, thank you for the opportunity to share my thoughts about H.B. 7140, AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION.

My name is Kevin Borrup, I'm the Associate Director of the Injury Prevention Center at Connecticut Children's Medical Center. I'm submitting this testimony in support of the proposed legislation, specifically the strengthening of motor vehicle passenger safety by requiring occupants to be belted wherever they sit and whatever their age.

And Alan from AAA spoke earlier and gave some great stats around why to do this. And earlier today during the motorcycle helmet session, one of the speakers said, "You know, if we knew something that we could do where there was absolute certainty that it would make a difference, we would do it."

Well this is it. Seatbelts all positions, it's inarguable that seatbelts save lives and I think Al made that point very well.

And what we'd like to see in Connecticut is the seatbelt requirement extended -- everybody, all ages, no matter where they're seated in the vehicle.

And with that, that's it. Thank you.

REP. LEMAR (96TH): Thank you, Kevin for your testimony. That was great and again, so much of that focus on 7140 is about motorcycle helmets but there are numerous safety provisions included, including the seatbelt usage. So thank you for your testimony for that. Are there any questions?
Seeing none, thank you so much for your testimony today.

KEVIN BORRUP: All right, great. Thank you.


STEVE CHANGARIS: Thank you and thank you all for enduring such a long day at the hearing. I lost my Chairman and my member so I'm the staff guy so I get to do my staff-guy duties.

My name's Steve Changaris, I'm the Connecticut Chapter Director for the National Waste and Recycling Association. The companies that collect and handle your trash and recyclables whether we collect it, recycle it through a morph or whether we take it to the local waste energy industry or out-of-state landfills.

Today's issue for us is your Senate Bill 867 and it's an act to amend the Move Over Law and this is a really important issue to our industry. I've been with the trade group working on 30 years now and the biggest change that I've seen in the industry in the last five or ten years in addition to things like organics and recycling, it's really been this push towards safety. The companies really have changed and really gotten the safety mantra internalized to their way of doing business.

We are a top five industry for fatalities and accidents. We are a very dangerous industry. We're right up there with the loggers and fishermen. Very dangerous industry and we can control a lot of that
at our own facilities when we're inside with best management practices and good safety habits but a lot of the reasons we have a high fatality rate and a high injury rate is because our men and helpers are out on the street every day collecting trash curbside.

And what the Move Over Law did when the legislature passed it for the public safety officials years ago is what we're trying to get done for our guys. And we've been active and this is a national program of the association. This bill's been before the committee before a couple -- I think two years ago.

We've had 23 states pass these variations of these laws. And it's a very simple thing, it's a -- it's sending a shout-out to the men and women who do this work every day. It's sending a shout out to the motorists that you should be slow and be careful when you go around our vehicles that are out there collecting trash and you know, we want to fulfill that message that you've heard before that, you know, we wanna send our men and women out in the morning and get them home at night so they can go home to their families.

The testimony's all there. We have some very nice graphics that we've done nationally, some nice pieces. There's a great YouTube video that just shows you and you know, it's this whole thing about distracted driving. There's more distractions, more cellphone use, texting and all this stuff. People are not paying attention to being good drivers and all of a sudden there's a helper on the back of a truck, you know, between the truck and a car.
And that's what we wanna avoid or worse yet a fatality and stuff like that. So it's a pretty simple bill, there's been a lot of safety stuff on safety belts and the helmet laws that you've heard today. This is something that is big to us and we appreciate the Representative Bolinsky for helping us file the bill and we hope you can move it this year.

It's a good piece of legislation for the men and women working out there. Thank you.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. So just one question for you. You mentioned that this bill has been here before a couple years ago. What was the opposition to it?

STEVE CHANGARIS: I'm, I'm not, I think some of the issue, you know, was said, "Well, you know, how are you gonna enforce this from a police area?" And we enforce, first off, it gives us a great opportunity to talk through a Safety Monday, through safety protocol meetings with our helpers that this is a protection that the legislature has afforded you. We'd like to use it as part of a promotional public relations piece with our local -- we tried to tie into when school's back, you know, slow down when the school buses show up. We try to tie it in there, that "Hey look, Connecticut's passed a law."

If you Google Slow Down and Get Around, some of the states in the region have passed it -- New York, New Jersey have passed it. We have a bill up in Connecticut, in Massachusetts that's pending.
Some of the state agencies and others have paid some attention to it and you know, I did a press conference down in Long Island with one of the communities there. It's an important issue. The towns benefit by this, the labor guys like it, it helps with the, you know, the pebbles in our shoes, sort of speak when we do this work every day.

And you know, it's funny, I'll tell one anecdotal story -- I don't know why anyone would oppose it, you know, because it's an aspirational bill, it's a good place for us to be.

I was at a meeting at this in Long Island and I went up to this gentleman after the press conference and said, "How do you track it?" He was like, "You know, I work for the town", he goes, "I'm the city this", it's like a thousand person community. "How -- what do you do?" And he goes, "Well, I'm the risk manager." And I go, "I know why you're here", because you know, one less accident is one less rate-able, you know, to that experience rating on that town's municipal, you know, accident rate.

And again, I don't wanna talk about money, you know, because it's insurance and that's not, you know, this is about what's a life, you know. And you know, we wanna -- there is an economic aspect to it but the real driver is the safety thing, we want to have our work environment safer for these people that do the work every day.

And you know, the company -- the owners are with it, the workers are with it and we hope that you can help us develop this aspirational, you know, goal
and we can use it to help educate and get people on board.

So it's a good -- it's a good law. There's a -- every work zone you go to now, you see the Move Over thing, you see it on the billboards, you know, "Take care of our public safety employees". "Slow down at toll plazas", stuff like -- well, there's no more toll plazas anymore. In Massachusetts.

REP. DEVLIN (134TH): Don't say that word in here. [Laughter]

STEVE CHANGARIS: I know. But you know, I used that in a previous testimony, forgive me. We don't have toll plazas, we have Speed Fast. So anyway, anything you could do with moving this bill would be fantastic. It's a good piece of legislation.

REP. DEVLIN (134TH): Thank you. Thank you for your explanation. Thank you.

REP. LEMAR (96TH): Senator Leone.

SENATOR LEONE (27TH): Thank you, Mr. Chairman. And maybe on that topic -- I don't think anyone has any reason not to support it from a safety perspective. We definitely want to make work zones as safe as possible, your folks included.

I think the biggest concern is how we -- how do we enact this in the right way and maybe where you mentioned other states have done different things, we can look at some of the different things to see what may work here.

And the reason why I say that is because, you know, it's not like there's always a place to move over.
SENATOR LEONE (27TH): Or slow down, especially when you're in small communities or on city roads where there's parking on both sides, this is early morning or late at night and you know, the trash and recycling can take up the whole street and a person's stuck until the finish. Or they move over and you get to go by.

So does that then mean if this law were in place they don't move over and you're stuck until they're down the street. So it's -- I'm not saying your guys would take advantage of the situation but those are the kind of things we're gonna have to figure out how to make sure it doesn't impede normal flow of traffic and -- or we don't want it to cause another problem that we then have to address that as well.

So I'm sure we can probably find something here but I just wanted to make the comment where I think there were reasons why in the past it didn't go forward and it was more on the execution of it, not so much they were against the safety aspect.

STEVE CHANGARIS: Right.

SENATOR LEONE (27TH): So that's what we need to work through on this.

STEVE CHANGARIS: We appreciate that. Again, the -- I could just offer you the comfort that, you know, since we've been here, several -- I think close to probably 15 more states are -- you know, maybe 18 more states have passed the law.
And that's not the intent. We don't wanna impede traffic. The flip side of that, though is that if we are making a collection, we don't want someone to speed around us. Because when the driver lights out of the cab or the helper walks around the -- bang, that's where the accidents happen.

We just want some due care to be, you know, apportioned when they're approaching one of these vehicles and knowing it is a mini work zone because there are generally a person, you know, tending to that truck and taking care of the material at the curb or whatever.

So we appreciate that, Mr. Chairman, thank you. Whatever we can do to help. Thank you.

REP. LEMAR (96TH): Robert Vincent, Phillip Levieff.

PHILLP LEVIEFF: Chairman Leone, Chairman Lemar, members of the Transportation Committee. Do you hear the people sing? My name is Phillip Edward Levieff, I grew up in Westport and currently reside in Fairfield with my wife and two children.

I'm proud to have called Connecticut my home for over 40 years. I'm here as an EV owner, a consumer, a small business owner and educator to support House Bill 7142 and all the opportunities it'll bring.

I'm what you call an Early Adopter Technology from Atari to AOL to the MP3 plasma TVs to online gaming, I'm the guy you'd see waiting in line at the Apple store on launch day to pick up the latest advancement in innovation year after year.

I'm also a car enthusiast. My first car was a Honda Accord in Westport. A Mercedes I purchased in
Greenwich, a Lexus from North Haven and an Audi from Fairfield. I currently own a midnight blue Vespa GTS-300 I picked up New Haven Power Sports and I wear a helmet on occasion.

I love automotive technology and learning how the advancements in engineering continue to refine how we travel.

A couple years ago I learned that there was a car that was 100 percent electric, it was really fast, used sensors and radar to self-drive with periodic software updates that added new functionality. I was sold.

I experienced a couple test drives out of state and made the transition head first. After leasing Red Rocket, which is what I named it, attended my first electric vehicle meet up in South Norwalk to learn why you couldn't buy this amazing car in all of the 50 states and discovered that somehow Connecticut was one of a handful of states keeping this incredible product out.

How is Connecticut on this list, I wondered. I always this state was rich with innovation and industry and always looking towards the future, not mired in old laws stifling potential growth and leadership.

I was dumbfounded by this and I got pretty fired up after this meeting and decided to get active and involved in this direct sales legislation.

So I joined this Sustainable Fairfield Task Force in the Electric Vehicle Club of Connecticut and quickly learned that I wasn't alone in my passion. In fact,
there was a movement growing of consumers, environmentalists, educators, technologists and forward thinking futurists wanting to accelerate the sustainable EV transition and path for Connecticut to lead into the future.

As an early adopter for me it was always clear that by demonstrating and educating, I could help make a difference, one person at a time. So I showed my car off often, participating in riding drives, EV showcases, expos and fairs. I let strangers take my car for a drive and every time when I explained to them that they couldn't buy this car in our state almost everyone blamed United States politics for hindering progress and protecting special interests around this country.

One of my favorite things to do and I found most impactful to tell this story is to summon my car. So this means holding this key fob down, waiting for the car lights to flash three times, pushing the trunk button and like magic, the car starts rolling to me on its own with no one in it.

I've gotten very comfortable summoning my car and I do it often. And I'll never forget one time when I was summoning it out of its space after lunch and a woman came running up to me in a frantic and she asked me to pinch her and if she was dead.

I explained to her -- she explained to me that she had hit her head a few days earlier and she couldn't believe her eyes. I assured her that she was indeed alive, we talked for a while and I explained this car and this unfortunate Connecticut story. She gave me a hug after our conversation and thanked me
for the show-and-tell and encouraged me to keep
telling the story and fighting to make this change
in Connecticut. And I told her I would.

I've provided demonstrations and discussed my car in
this law with everyone from Fortune 500 business
leaders to the grocery clerks at my local Stop-n-
Shop. At elementary schools and makers fairs and
the consistent response I get is how is Connecticut
-- how can Connecticut afford not to pass this bill,
to not see the opportunity when we need it most.

As a business -- as a small business owner in the
tech industry, I'm greatly concerned that our state
is falling behind. You have and will hear from some
of our Electric Vehicle Club members as they tell
their story and represent the facts and real data to
support this bill.

Together we've led where others will not, we've
educated to those who wanna learn and we continue to
refute the myths and misinformation on progress and
those who spread them.

I never expected that transitioning to an electric
car would have such a profound impact on me and I'm
visiting Hartford on a regular basis to invoke
change.

I know it's helped me show me the future and it's
given me a new hope. A hope that you as leaders in
our great state will look beyond the politics,
beyond the lobbyists, beyond the rhetoric, beyond
the parties and beyond this old law written a long
time ago in a galaxy far, far away. [Laughter]
The face of the consumer market is changing and we need to change and innovate with it. We need to rise up and catch up or we'll be left behind. I ask you to support the passing of House Bill 7142 and watch how it will spark opportunity and passion in consumers like it has for me.

Watch how innovation comes back to Connecticut and how the jobs will follow. I know you'll look back and be proud of embracing this revolution. The future is now. Thank you.

REP. LEMAR (96TH): Thank you, Phillip and I'm not sure if we'll pass this bill or we'll mandate motorcycle helmets or any of the other bills you brought up but I'd be remiss if I didn't tell you that summoning your vehicle and having it drive toward you is probably gonna remain illegal for a little while. So be careful where you use that parlor trick, okay?

PHILLIP LEVIEFF: All right, you got it.

REP. LEMAR (96TH): Thank you for your testimony. [Crosstalk] I'm certain that it is and certain Leone's got a bill for you, too, on that one. But it's gonna take a little while before we figure out the legalities on that one.

PHILLIP LEVIEFF: Sure.

REP. LEMAR (96TH): But I do wanna thank you for your testimony and for sitting with me -- almost two months ago now -- and going over some of your thoughts and concerns and opportunities for this technology and how we can best have more individuals in Connecticut buying electric vehicles and meeting
our state and global expectations. So thank you again. Are there questions for Mr. Levieff?

Representative McCarthy-Vahey followed by Representative Devlin.

REP. MCCARTHY-VAHEY (133RD): Thank you, Mr. Chair and I just wanted to say, Phil, thank you so much. I'm sorry I missed the beginning of your testimony but I just wanna thank you for your just consistent advocacy and forward thinking on this issue and so many others. And it's great to have you here sharing your passion and your experience.

PHILLIP LEVIEFF: My pleasure.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. So welcome to Hartford, apparently again.

PHILLIP LEVIEFF: Yes.

REP. DEVLIN (134TH): So great to have you here from Fairfield. So I just wanted to share -- I don't think, although I'd like to speak for our committee members but I think it's universally agreed and accepted that having Tesla cars for sale in Connecticut would be phenomenal. The issue is how to do it.

And that's where hopefully we can have some discussions and potentially some compromise. Because in their desire to come to Connecticut, it does bring a new model of business from what has been established for a long time. And we might say it's antiquated, it's outdated, it is an industry structure that's been in place for a very long time
that companies that employ a lot of Connecticut have built their businesses around.

So I hope we can find a way for those cars to sell. I am -- I just think they're very cool. I don't own one, we've already talked about that but I think they're really cool and I've probably seen yours and maybe sat in it at the EV Showcase with envy.

PHILLIP LEVIEFF: I think you have.

REP. DEVLIN (134TH): So -- and joy. But thank you for being here and I hope we get to a constructive place with this issue.

PHILLIP LEVIEFF: Sure.

REP. DEVLIN (134TH): Thanks.

REP. LEMAR (96TH): Thank you. Richard Jordan followed by Sarah Ruskin. [Background conversation]

RICHARD JORDAN: Yeah, I know, they oughta put little rubber dampers on them.

Well, thank you. I appreciate the time to discuss. My name is Richard Jordan, I am a Tesla owner and I'm here in support of House Bill 7142. I'm gonna modify some of my -- I had already submitted this but after hearing a lot of the BS, basically, I'll cut to the chase of the deals putting out. I've kind of changed some things around here.

I'll just use this as an outline. The franchise laws, all due respect, Senator Martin, they were put in place actually to protect the dealers. Back from the car manufacturers, not for protecting consumers.
There's consumer laws in place to protect the -- back when the laws were put in place, that was to prevent like Ford from shoving, forcing their Ford dealers to take on a product that they really couldn't sell or didn't wanna do.

So franchise laws were put into place to protect that. Not the consumer. That's -- like I said, that's what the Consumer Protection Act would take care of.

Also, the state has obviously emission goals that it wants to meet and it's not gonna do it without the Teslas. Everybody knows how many cars they've sold and if we want to make this happen sooner than later, it's gonna be through Tesla.

Now the manufacturers mentioned oh the billions of dollars they're spending and a representative for Hoffman mentioned that their company spent billions -- is spending billings of dollars to come up with their EV.

Yeah, it's called the Audi e-tron and it won't be here until the end of the year. It's gonna cost $65,000 dollars or more. Not for the average consumer.

So and also a lot of stuff that these companies are spending billions of dollars on which sounds impressive is really for the Chinese market. And Europe. 'Cuz I don't know if you know this but a lot of European countries are gonna start outlawing internal combustion engines within the next ten to 15 years. They're gonna outlaw it.
So that's where all that money's going. It's not necessarily for the United State but it makes a nice sound bite.

All right, so again, the basis -- another example of what the dealers are saying that's not necessarily true is the basis of their argument is that jobs are gonna be lost. And as been rightly so asked, that hasn't happened anywhere in the country.

And if anything, you know, they mention all these Chinese companies coming here to sell. Well, one -- first thing is to legally get their authorization by the EPA and DOT itself here. But the other thing is would that not just create jobs? I mean I think it was Chip Gengras, if I got it -- is it Gengras? Chip's last name Gengras? I think he mentioned that they -- like 10 percent of their employees would be let go if they went with direct model.

Well, they would just go work for the other companies. They would just go across the street. The jobs aren't going anywhere, they're just gonna shift from one location to the other.

Another argument they try to pass of is that their business model is to -- will help the consumers with getting a better competitive price. Well, Tesla has competition. It's like the Chevy Volt. Other EV -- other manufacturers make EVs, that would be the competition and the market should decide. The market being myself and the consumers should decide how we wanna buy our cars.

If I wanna buy an Apple iPad, I can go to Best Buy or I can go to Apple. And just to go back a little bit, those franchise laws, you know, they went back
100 years ago. We also went to work in horse and buggies back then. All right, well nobody in here but times change and they move on.

Another argument to do -- sorry -- along the line of competition and people have made note about not making a special rule for one company. Did we -- didn't we give Pfizer -- didn't we -- wasn't there eminent domain down in New London? They took out a whole neighborhood? Are my facts wrong? For Pfizer? One company. They moved in and then they moved out.

So the state routinely does one -- does something for just one company. And we know how that -- that turned out.

If the state is serious about attracting business by continually blocking the leader of automotive technology is not the way to do it. It will only continue to make Connecticut look foolish as literally every state around us allows Tesla to sell their cars directly to consumers.

Also what makes the state look even more foolish is the fact we're actually considering allowing marijuana to be sold here, tolls, increase in sales tax to increase the revenue stream but God forbid we get additional tax revenue by selling a new American car in this state.

And I also will point out who here is supporting dealers? Yeah, there's no consumers here. There never has been in the four years I've been coming here to do this. Has there ever been anybody here supporting the dealers other than their employees who I’m sure were strong-armed to come here.
But there's never anybody here, a consumer advocating for the dealers.

And in conclusion as a 21-year Veteran of the Air Force, this isn't really the type of government that I had signed up to protect. It's -- I'm changing the wording on my thing but it should be free market. It's a free country, it should be a free market and we should be able to decide how we want the cars.

If Tesla's parts availability is such a big problem, well then I'll get pissed off, I won't by Tesla, I'll go buy a Chevy. That's my decision. The government shouldn't dictate how I buy an iPhone, milk or whatever. I can go to Stop-n-Shop to get milk, I can go to a farm to get milk.

So for those reasons, I respectfully encourage members of the committee to support H.B. 7142 and I can answer any questions that -- I've owned a Tesla for five years. So I've got a few miles under my belt.

REP. LEMAR (96TH): Thank you, Richard, for your testimony and for spending so much of the day with us today. Are there questions for Mr. Jordan? Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. I just wanna thank you for being here and obviously your passion around this issue which hopefully this year will be one that we resolve.

Have you named your car? [Laughter]

RICHARD JORDAN: Okay, this is cheesy, I named it Sparky. Even though there's not -- it's -- but --
but with that said, my car, I don't have the -- summon feature that Phil's car has so I can't go, "Come here, Sparky". I can't do that. But yeah, I named it Sparky. [Laughter]

REP. DEVLIN (134TH): Thank you.

RICHARD JORDAN: But I just refer to it as the Tesla for -- I don't actually call it by that name.

REP. DEVLIN (134TH): Thank you.

REP. LEMAR (96TH): Are there any questions? Seeing none, thank you again, Richard, for spending the day with us.

RICHARD JORDAN: Thank you.


KENT GOLDEN: Hello Chairman Lemar, Chairman Leone and members -- remaining members of the Committee. Thank you very much for the opportunity to speak this evening. My name is Kent Golden and my wife and I are lifelong Connecticut residents. I'm a professor at Quinnipiac University, she is a nurse at Yale New Haven Hospital and we are not affiliated with Tesla. We are not a part of any organization which is actually quite interesting.

So why am I here? After ten hours or so, I've been asking myself that question. [Laughter] Now we know why the dealers are here. And to be honest, I'm a little sad that they didn't stick around to hear our side of things here.
The reason why I'm here is because this is important. Because I care about our environment. I care about our world. I care about our state.

So we -- my wife and I -- we support H.B. 7142. So we are very much in favor of this legislation for these six reasons, so get ready.

Number one -- it would encourage the adoption of sustainable transportation in Connecticut which will lower pollution and reduce reliance on fossil fuels and foreign oil.

Two -- it will increase Connecticut tax revenue from vehicle sales.

Three -- it will stimulate the local economies surrounding Tesla sale locations and additional service locations.

Four -- it will help Connecticut residents to purchase vehicles that cost less to run and maintain. This results in household savings that can be better spent on other things.

Five -- it allows Connecticut residents to shop for and purchase a US made product in the way that they would like which is online and direct from the manufacturer with no middle man in between.

And number six -- it would encourage Connecticut residents to stay in Connecticut.

So to go into a little bit of detail on these, regardless of whether everyone agrees on manmade climate change or not, there is a simple truth that fossil fuel vehicles pollute our environment and
make us more reliant on dwindling and foreign sources of oil.

Because of this, we decided to purchase a Tesla Model 3 electric car directly from Tesla Motors. Our chosen electric supply is 100 percent green and renewable so we can power this car cleanly and for much less money than a traditional internal combustion vehicle. There's no gasoline, there's no standing outside in the polar vortex, there's no oil changes, there's far fewer moving parts, it's safer, it's cleaner and it's also incredibly fun to drive.

My wife and I are both auto enthusiasts and this was really the perfect car for us. So we knew this was the car we wanted.

We then discovered that Connecticut has been blocking Tesla from selling their cars directly to consumers which was very unnecessary and very troubling to us.

A US company makes fantastic cars. Connecticut residents wanna buy those cars. Really, nothing could be simpler. Why -- why all of the fuss? Yeah, what's more American than that, right?

So we ordered our car online which was perfect for us, we were able to customize it we chose the color, we chose the rims, we chose whatever we wanted and you know, that was the experience that we wanted. We didn't need a dealer to walk us through the process.

And then we were forced by Connecticut law to travel to New York in order to pick it up. So the tax dollars went to New York, the Tesla reps that we
worked with, they lived in New York, they were employed in New York. We stopped for lunch. We stopped for shopping on the way home and every one of those dollars went to New York businesses with the taxes going to New York.

We were determined to purchase this car no matter how far we had to travel and I know that that's the same for a lot of us. So Connecticut is literally driving people out of the state in order to get what it is that they are looking for.

And we've heard arguments from the dealer networks wanting to be the middlemen and while it certainly makes sense and it would be in their own personal best interest for that to happen, it hardly seems like something that Connecticut should have to enforce on behalf of its residents. Requiring a franchise in that model adds cost and it adds complexity which means that that goal of obtaining the sustainable transport is pushed off even further.

And this bill, unless I really read it wrong, does not close any dealerships, it does not disband any dealer associations, it doesn't force any auto dealers to do anything different than what they're doing right now.

Let the people in the free market decide what we want. If Tesla is such a terrible company and they can't get parts and just as he was saying, then fine. Then Consumer Reports will say, "Don't buy this", and people will have horror stories and it won't happen. They'll go under. But I could tell you that's not the case.
So in closing, now more than ever before, I think we as a people need to stand up for sustainable choices in our world and promote practices that will help us in our environment and that bill -- this bill will make that choice a lot easier for a number of Connecticut residents. It's really time to change the status quo.

Just in closing I wanna touch on a couple of points that were brought up earlier. As far as Tesla service goes, it's been fabulous. I've had a couple of problems, I hit a pothole, I lost a rim. You bring in your car, they give you a loaner, you come back, it's done. You know, everything that I've had with them has only been like a daylong service.

As far as charging, I know that other companies, they can't charge their cars on the Tesla network. To my understanding, that's actually on them because Tesla has released their patents for their charging infrastructure and for that network. So they are welcome to use the Tesla charging system and they have just chosen not to and to use something different.

Also to speak on Tesla as a company, I know they're being sort of painted as this faceless sort of corporation that doesn't care. I bought my car and after I bought it, we were enjoying it for a month or two, they actually reduced the cost of that particular package and Tesla sent me a check for $5,000 dollars in order to reimburse me for that. Can you imagine any other company doing that? I don't think so.
And also I just wanna say I love the idea of Tesla working with local technical schools in Connecticut. I, myself, actually came from Platt Tech in Milford. I think it's a wonderful way to learn a trade and to bring these new jobs and this new future to our -- to our young people.

If you have any questions for me as an owner or anything else that I could answer for you, I'd be happy to answer. But thank you so much.

REP. LEMAR (96TH): Thank you, Kent, for sharing a very personal story. As you saw, this is a corporate-driven conversation earlier in the day today, it was great to get your personal insight and experience. Are there questions for Kent?

Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133TH): Thank you, Mr. Chair and thank you so much for staying with us. I love -- it's pretty clear you're a communications professor because of the one, two, three, four, five, six. Very effective and I think people could learn from that.

But I just wanna ask a quick question about number four.

KENT GOLDEN: Sure.

REP. MCCARTHY-VAHEY (133TH): And I don't know if this has been highlighted. Lot of times people talk about how expensive Teslas are. And I often point out that I have to put fuel in my vehicle pretty much every week and among other things, it really needs an oil change right now.
But can you kind of speak to that, that it costs less to run and maintain.

KENT GOLDEN: Yeah, there definitely is an initial cost that is higher currently. Although that is being driven down and Tesla is trying to drive it down.

But once you get over that, it is much less expensive to run. Let's just take fueling or filling up for example. I fill up that -- my Tesla, with 310 miles worth of charge. And in my previous car, which was a Subaru WRX-STI that took premium fuel, you know, that was about a $50 dollar fill up. And I do this at home on my green electric for probably about $12 dollars.

So every time I fill up with 310 miles, you know, we're talking about ten bucks, eight bucks, twelve bucks, something like that. Much less expensive.

And on top of that, I don't have to fill up. I just, I pull in my garage, I plug it in and I forget about it. It's just like a cellphone, you know, you just -- you plug it in at night, you don't even think about it. In the morning it's full and you're ready to go.

So there's a huge time savings that goes along with that. Like I said, I was passing people on the polar vortex, you know, thinking -- my God, I don't miss standing out there, you know, pumping dinosaur juice into, you know, this internal combustion engine. You know, it's just -- it's a very different product.
So once you get over that -- and then there's the simplicity of it. I have had other cars. I had a DeLorean which is kind of an interesting automotive story.

I had like a Lotus Esprit, a number of different cars that have not been known for being reliable. And I have replaced lots and lots of different parts on those. They have bearings, they have belts, they have pulleys, they have fluids, they have so many complicated moving parts and valves and everything and the Tesla has one moving part in the motor and that's the rotor. So it's one moving part versus hundreds.

So when you think about it, you don't have to get oil changes, you don't have radiator fluid, you don't have belts, you don't have pulleys, you don't have all of this stuff. It's a much simpler system to maintain.

So what do we do? We fill up the washer fluid, we rotate the tires, we have them check it over but apart from that, it doesn’t require the same level of service.

Now in the rare occasions that I have had service and I've brought it to them in Milford, it's been totally fine. They also do come out to you, you know, and as they were saying before, they actually know before you do if your tail light or something else is out because the car talks to the company.

So you might get a message on your phone that says, "Hey, your tail light's out. We're gonna have somebody come by and, you know, fix that for you."
So very different experience -- yeah, there is an initial cost currently that's a little bit higher but once you get past that, much, much less to run and to maintain.

REP. MCCARTHY-VAHEY (133RD): Thank you very much. Thank you, Mr. Chair.

KENT GOLDEN: You're welcome.

REP. LEMAR (96TH): Thank you again.

KENT GOLDEN: Sure. Thank you.

REP. LEMAR (96TH): Pat McCann. Followed by Dan Garrett.

PAT MCCANN: Chairman Lemar, Chairman Leone, members of the Committee. Good evening everyone. My name is Patrick McCann. I'm a resident of Durham. I'm a Tesla Model 3 owner whose name is Hot Needle of Inquiry. And I'm here today to support H.B. 7142 even though I will not benefit from its eventual passage.

I'm gonna actually yield most of my time, since many of the points that I was going to make have already been brought up but I wanna make one big point and emphasize it.

In 2018, the world's leading climate scientists warned that there are only 12 years for global warming to be kept to a maximum of 1.5 degrees Celsius. Beyond that even a half a degree will significantly worsen the risks of droughts, floods, extreme heat and poverty for hundreds of millions of people throughout the world.
In 2013, Connecticut joined with seven other states in a memorandum of understanding. One of the goals of which was to have 3.3 million zero emissions vehicles on the road by 2025. Connecticut's per capita slice of that pie is just under 155,000. We heard that earlier and the 2030 goal is 500,000.

Today in Connecticut, Tesla makes up one-third of the zero emissions vehicles on the roads and there are only slightly more than 3300 of them. We are halfway to our stated deadline in 2025 yet we have only achieved 5.9 percent of that goal so far. And only two percent of the 2030 goal.

I'm sure there are a number of reasons why we are falling woefully short of that goal but one such reason should not be that we hamstring Connecticut consumers by providing the world's largest -- by prohibiting the world's largest maker of electric vehicles by far from selling their vehicles to them where they live.

That concludes my remarks.

REP. LEMAR (96TH): Thank you, Pat, for your testimony. Are there any questions for Pat? Seeing none, thank you again and thank you for spending so much time with us today.

PAT MCCANN: You're welcome.

REP. LEMAR (96TH): Dan Garrett followed by Joseph Allen MacDougald.

DAN GARRETT: Chairman Lemar, Chairman Leone and the other distinguished members of the Transportation Committee, my name is Dan Garrett and I live in
Hamden. I am giving testimony today in support of House Bill 7142.

I recently purchased a Tesla in New York. The vehicle I owned prior was a General Motors Yukon XL Denali. A gauge on the dash displays gallons of fuel used in its lifetime. At 150,000 miles, the Yukon used 10,700 gallons of fuel at a cost of $37,500 dollars.

The Yukon with proper maintenance can expect a lifetime of 300,000 miles with a cost of fuel around $75,000 dollars.

The Chevrolet Volt is a General Motors all-electric vehicle. The first maintenance for the Volt is at 150,000 miles. Unfortunately, General Motors does nothing to push the sale of this vehicle and does nothing to build infrastructure for charging.

Tesla, on the other hand, has done a great job of building Supercharger stations across the country. Last night we charged our Tesla in Waterbury while getting Pepe's Pizza. When we arrived at the Tesla Supercharger, we had six miles left of charge. When we finished our pizza, we had 227 miles of range. Tesla is helping small business. Most of their Superchargers are located where people will eat or shop and spend money.

There are no oil changes, alternator, starter replacements, transmissions that go bad costing thousands of dollars for replacements. No timing belts to replace. Electric cars hurt the conventional auto dealerships' repair departments.
And in conclusion, I would like to describe my experience with conventional car dealerships.

I was employed in the industry for over ten years and have extensive knowledge of all aspects of conventional car dealerships.

Frequently customers were overcharged, especially women and minorities. The goal of most sales people and finance managers was to get the highest profit possible. If the customer paid retail sticker price for the vehicle, the dealership made a large profit depending on the type of model sold.

After agreeing to a sales price, you are directed to the finance office. The goal of the finance manager is to add more to the sale with a push of extended warranties, lifetime paint, interior sealants and window security etching. Then comes loan approval.

Then comes loan approval. Interest on the loan is negotiable. The dealership stands to make more profit on the back end of the deal than the deal itself.

I've seen people of color charged very high interest rates even though their credit was excellent. Buying a Tesla ensures that everyone is treated fairly. All purchasers pay the same price. Sales people at Tesla, as far as I know, are not paid commission. Instead, they earn a livable wage.

Maybe legislation should be introduced to regulate the practices of conventional dealerships. Please allow Tesla an all-American car company to sell cars in Connecticut.
REP. LEMAR (96TH): Thank you Dan, for that testimony. Very good and very compelling like the personal experience that you brought to it. And I was with you on everything except for the fact that you drove to Waterbury for Pepe's Pizza? [Laughter]

No, no, no, seriously. I did not question most of the other things you said because --

DAN GARRETT: Yeah, they actually, Tesla a couple months ago just built a new charging superstructure in -- right next to a Pepe's Pizza and it's a fantastic spot to go to and I bring the family and we get great pizza.

[Background conversation]

REP. LEMAR (96TH): I'll talk to, you know, Pepe the original about constructing a nice charger for you there. Representative Reyes, do you have something to say about the car? [Crosstalk]

REP. REYES (75TH): Thank you for coming to Waterbury for Pepe's Pizza.

DAN GARRETT: Absolutely.

REP. REYES (75TH): When did they install the charge station there, I didn't even know it was there.

DAN GARRETT: It was about two months ago. Maybe three.

REP. REYES (75TH): How many other ones do we have in Waterbury that I don't know about?

DAN GARRETT: I think that's the only one in Waterbury as far as I know.
REP. REYES (75TH): Well, thank you for coming to the best city. Thank you, Mr. Chair.

DAN GARRETT: Yeah, it's a great place.

REP. LEMAR (96TH): You're welcome. Gosh, this is the highlight -- Pepe's Pizza is offering number one pizza in the entire country. Never once have I seen the Waterbury address listed next to it.

DAN GARRETT: Oh really? Yeah and --

REP. LEMAR (96TH): And so it's always an uneven one.

DAN GARRETT: And I spoke with the waitress. They said that they get a lot of customers that charge their Teslas and come in to eat. So it's nice.

REP. LEMAR (96TH): You are extraordinary being back on topic, I really appreciate that. Any questions for Mr. Garrett? No. Thank you so much, Dan.

DAN GARRETT: Thank you.


ANALIESE PAIK: It happens all the time. Chairman Lemar, Chairman Leone, members of the Committee, my name is Analiese Paik and I live in Fairfield, Connecticut. I've been there since 2001.

And I'm here today as a member of the EV Club of Connecticut to testify in support of House Bill 7142.
Our club of brand agnostic EV enthusiasts evangelizes the rapid and widespread adoption of electric vehicles because they're really fun to drive. They're easy and less expensive to maintain and they're revolutionizing our transformation to clean smart mobility.

Now I am not going to talk about Tesla. I'm gonna mention three cars that you've probably never heard of. My Nissan LEAF comes off lease in November and I'm figuring out what I wanna buy next. And I'm considering an electric pick-up truck. Unfortunately, all three electric pick-ups coming on the market -- US owned and made -- Rivian, Atlis and Bollinger, are illegal to purchase in Connecticut.

As a consumer, that frustrates me. It also inconveniences me and as an EV evangelist and sustainability advocate, I find it vexing and as a business person I find it perplexing. Why would our state with so many ambition EV goals allow anything to put a chokehold on the sale of EVs?

As mentioned earlier, we have 140,000 more EVs to get on the road by -- in the next five years. And I don't know how we're gonna do it if we put a chokehold on the sales barring EV makers from selling directly to consumers also has untended consequences.

Governor Lamont recently tweeted to Amazon a reminder that the offer to locate HQ2 in Stamford. There's only one problem. Amazon may feel unwelcome because they were the lead investor in a $700 million dollar investment in Rivian, one of the pick-up makers I mentioned to you.
So our dealer franchise law is restrictive, it's anti-competitive and restricting competition harms the many while profits go to the few.

Now our dealer franchise law was created to protect the process of new car dealerships. The intention was never to prevent the entry of new players and expansion of the marketplace. It's antiquated. It's obsolete and we need to change it. Stifling competition and restricting consumer choice negatively impacts productivity and economic development and it robs consumers of their freedom of choice.

I urge you to treat this bill for what it really is -- climate and economic development policy. We should all be alarmed that carbon emissions are still increasing. The catastrophic consequences and costs of an overheated planet terrify and threaten us each new day. We need aggressive responses.

Grant us the freedom to buy the EVs that we want because anything less is reckless indifference to the dire consequence and enormous cost of doing nothing.

Thank you.

REP. LEMAR (96TH): Thank you, Analiese, for your testimony today and for also spending so much of your day with us.

ANALIESE PAIK: Sure.

REP. LEMAR (96TH): Are there any questions for Analiese? Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133RD): Thank you, Mr. Chairman and I would just like to thank you for
staying here with us today and for being such a constant advocate for our environment and for economic development policy as you say.

So thank you for pointing out those aspects of this legislation.

ANALIESE PAIK: Thank you.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chairman. Thank you for being here today.

ANALIESE PAIK: Thank you.

REP. DEVLIN (134TH): We had a chance to talk in Fairfield at the EV Showcase and I found that conversation insightful and really appreciate your testimony today and your stamina for staying with us. Welcome to the legislature public hearing days. But thank you very much. We, you know, as I stated earlier, I think everybody supports the notion of Tesla cars being available. And the question is how can we do that and ideally, as our Chair said early in the day, encouraging both parties to come together to find a compromise within themselves.

So we're hopeful that this will be the year Tesla's in Connecticut.

ANALIESE PAIK: Yeah, and I just wanna make sure that the point that I made is that it's not just Tesla. There are many, many more companies coming. They're the first, they're the early mover.

REP. DEVLIN (134TH): These three trucks that you mentioned.
ANALIESE PAIK: Yeah.

REP. DEVLIN (134TH): Who are the manufacturers?

ANALIESE PAIK: So in Irvine, California, Detroit and Normal, Illinois is Rivian, their factory is in Normal, Illinois. They took over a mothballed Mitsubishi factory and put people back in jobs. They have 700 employees.

Atlis, A-T-L-I-S, is in Mesa, Arizona and Bollinger is in Michigan. They're all three of them are taking reservations for electric pick-up trucks and it looks like Rivian is gonna be the first one. They've had several rounds of financing and the latest led by Amazon is the most recent

REP. DEVLIN (134TH): Okay.

ANALIESE PAIK: And so I -- you know, I just find it ridiculous that we're trying to attract Amazon to Connecticut and they could possibly say, "No thank you", because we don't allow direct sales of vehicles. That's probably gonna become really important in their fleet delivery.

REP. DEVLIN (134TH): We've got a lot of other issues to deal with before that's their primary concern. But it is a valid point to make, no doubt.

ANALIESE PAIK: It's a very valid point. That's the law of unintended consequences as we may not be planning but it's become a business prevention strategy which is not what we want. It's counterproductive.

REP. DEVLIN (134TH): Thank you.

ANALIESE PAIK: Thank you.
REP. LEMAR (96TH): Thank you so much, Analiese. Mike Reilly, I believe, has left. Dawn Henry? Good evening.

DAWN HENRY: Good evening. My name is Dawn Henry. I'm from Westport, I'm a car enthusiast and a member of the Electric Vehicle Club of Connecticut and I'm here to express my support for H.B. 7142.

We've talked about a lot of different angles on this direct sales issue today. The one I wanna focus on is this idea that having a dealership in between the consumer and the manufacturer is necessary in order to protect and advocate for the consumer. I have a different point of view.

First off, I agree we should have smart laws to protect the consumer, particularly when it comes to an expensive product like a car. But in my personal experience, having a dealer act as a middleman between the customer and the manufacturer when servicing cars is not only not necessary but in many ways, being able to work directly with the manufacturer has actually given me a better experience. So I'll talk about that briefly today.

So I've been a Connecticut resident for more than 20 years. And in that time, my husband and I have owned 17 cars. I know, we have issues. [Laughter]

From Land Rover, BMW, Audi and Porsche and they've all been serviced by Connecticut dealers during that time. So I can tell you I've had a wide range of experiences from completely trouble free cars to one that exploded eight quarts of oil into the garage of my brand new house.
And I would say that the service departments at all the Connecticut dealers have been good to me over the years. I have no complaints about them, they're great people.

But I never actually thought of them as protecting me from the manufacturer. I've never had an experience where they advocated for me with the manufacturer. In fact, I actually had to do the opposite. I had to contact BMW myself when I wasn't getting satisfaction from the dealer. I had to do that twice over those years.

In addition to the brands I've mentioned, I've also owned three Teslas and starting back in 2015 and I still have two of them today. And in many ways, the Tesla service experience is identical to what you have in a dealership.

So if you walked into the service center in Milford, you'd see a bunch of the people at desks. You'd see folks walking around on headsets talking to customers, a big service bay full of cars going up and down and technicians and parts guys. So you know, as high tech as Tesla is, there are still regular people there. They're not robots working with holograms that, you know, sent jobs to California. It's just like any other dealership.

So in many ways it's the same but it's also different and I'll share two examples of how it's different and how it's been better for me.

So first example and I could share many, I'm just gonna do two. Couple of months ago, I don't know if you remember we had that crazy rain storm and we got seven inches of rain in a few hours. I thought it'd
be great to go out and drive my Tesla SUV because that would be fun.

And I went through about a foot-and-a-half of water and tore a piece of trim off the car and it floated away. So I emailed the Tesla guys in Milford and I said -- I just sent them photographs and I said, "Here's what the car looks like, what do I do?"

Within 24 hours they had a mobile service van in my driveway with a guy putting that part back on the car again. No appointments, no trips to Milford, I didn't lose the car for a day. I never even spoke to anybody and it was fixed. And by the way, that cost $54, that part. And because they're not marking up parts because there is no dealer middleman on that one.

Now could BMW have fixed that? Of course. I have a BMW EV as well. But they would've had me go to Darian, I would've made an appointment and I would've had to wait for the two guys that are actually authorized to work on the EVs so it would've taken a little longer.

I think the true test of customer service is what do they do when things go really wrong? So I do have one of those with my Tesla, the SUV. I had a recurring problem with the touch screen and the GPS system in the car. I went to Milford four times and it didn't get fixed.

And you know, I was there so often the staff members got to know the name of my dog. Like that's how much time I was there. And so you might say, "Oh my goodness, then what happened, did they give up? Did you have to threaten lemon law, did you have to say
you were gonna sue them?" No, it was none of that. They kept at it and they went above and beyond so they knew which loaner car I really liked so they went and found one in New York and had a guy bring it to me. So that I could have that when my car was down.

Then they assigned my case to a Senior Engineer in California so the guy who actually creates the GPS system that I was having a problem with. And I gave them authorization to monitor my car while I was driving it. Every system, every sound, every beep that was going on in the car, they were keeping an eye on to try to figure out what this was.

And then when they finally got it, they put a guy on a plane from California just to come out to work on my car here in Connecticut. They did not give up on me. So they do advocate for the consumer direct -- direct to the manufacturer.

So maybe this idea that dealers were necessary to protect the consumer was true way back when these laws were first created. But the world is different now and I'd like to see our laws updated so that if new EV manufacturers want to come in and use a different service model where they work directly with the consumer like Tesla has been with me, they should be allowed to do that here in our state.

And that's why I support H.B. 7142. Thank you.

REP. LEMAR (96TH): Thank you for your testimony today. I really appreciate you spending so much time here and providing your personal experience. That's great.
Representative McCarthy-Vahey.

REP. MCCARTHY-VAHEY (133RD): Thank you, Mr. Chair. And Dawn, thank you for being here again with us and for all of your advocacy at home as well.

Question for you. You said you had three and now have two Teslas. It came up earlier today that the dealers were talking about the fact that if someone were to bring a Tesla in to trade in, they wouldn't know what they would do with it.

So I wondered if you could talk about what happened with your other vehicle. Did you sell it?

DAWN HENRY: Well, I traded it in for another Tesla, so probably not the best case.

REP. MCCARTHY-VAHEY (133RD): There you go. Okay. Thank you for your testimony today and for the time you spent.

DAWN HENRY: Thank you.

REP. LEMAR (96TH): Representative Devlin.

REP. DEVLIN (134TH): Thank you, Mr. Chair. I just wanna echo my thanks. You've provided another dimension. You know, for everybody who has testified here today and I know you've spent the entire day with us, but it is really helpful to hear your perspectives but also your own personal sort of experiences.

So I hope that you feel like your time was worthwhile spent. You know, it's very good to hear your stories. So thank you.

DAWN HENRY: Great, thank you.

MURALI RAMASWAMI: Perfect. Couldn't be better. Chairman Leone, Chairman Lemar and the distinguished but dwindling members of the committee. [Laughter] I'm happy to be here. I support the H.B. 7142 bill and my name is Murali Ramaswami which you correctly pronounced. If you have trouble pronouncing that, then I should say I qualify to be one of the Democratic presidential primary members that I can run in 2020.

And so I just want to introduce myself briefly. My name is, as I mentioned, Murali Ramaswami. I lived in Connecticut for 30 years, 25 of which is in Westport. Both my sons were born here and grew up in the state so I have a deep attachment and commitment to Connecticut, a state that has done well by me and therefore I owe deep gratitude and debt.

And the state's Clean Energy Plan that has been enunciated so far is in evidence of enlightened leadership and clearly it shows a far-sighted public policy that needs to be implemented.

And I'm sure that other speakers have already addressed this issue and this ensures a future for our children and grandchildren even if we are not around to see their future, they will.

So the rapid and extensive adoption of ZEV or the zero emission vehicles is a critical aspect of this plan and I intend to help my little bit, do my little bit to execute this plan by at least
promoting the faster adoption of the zero emission vehicles in the state.

And so I go on and say what could be more easy than buying a fancy car, well-engineered and at the same time contribute to the environmental well-being of the state. Was I wrong. It's not that easy if you are in Connecticut and you want to buy a US-made car.

And but eventually ended up doing what others have pointed out, drove 50 miles to New York and pick it up there.

So now, like Phil, my friend, has a Red Rocket or red -- yeah, he said red rocket and Richard has a Sparky. Now I have a Dark Knight. [Laughter]

So I'm very happy with it and my experience has been very good so far and I have no complaints and everything that Dawn just mentioned about how easy it was to call them up and get your things fixed happened to me as well.

One of the things that Tesla forgot when they marketed their cars and sold them on the east coast was the climate. It does not perform, at least not supposed to perform as well, in the winter time. So you have this problem of the door opening or the charging not -- the charging bolt not opening as you want it to and so on.

Very simple solution. I just called them up, they told me there's something I had to pull at the back of the trunk and that was it. And so the whole thing really got fixed and they -- the next update they fixed even that.
So I'm saying most of these things seem to be happening unannounced. That has been their modus operandi so I think it's a very neat model and that should probably be causing some concern for the existing auto dealers.

So that's my personal experience of -- with Tesla. And there's a couple of things that I just wanted to mention in order to situate what I think are the kind of spurious complacent and probably false claims and both in fact and in logic made by the auto dealers and the auto company representatives in the morning -- the afternoon.

First, the inadequacy of customer service. It doesn't exist. The customer service so far has been good. And somebody on the committee talked about the 92 percent number causing confusion. Where the dealers claimed they sold 92 percent of electric vehicles whereas the numbers, if you look at the registrations in Connecticut, through November 2018 you will see greater than 80 percent of zero-emission vehicles coming from Tesla.

So the zero emission vehicles are not being sold by any of the others. If your goal is to further the 2030 and 2050 clean energy in the state, you should be going for ZEVs and not for emission vehicles, hybrids and everything gets thrown in there. You're gonna get 35 miles a gallon or something in the hybrids but that's no different from a gasoline car with efficient burning of gas.

So that's one thing. The other thing they mentioned about the thing that -- the 60 Minutes. I do watch the 60 Minute shows today. But the conclusions I
drew from that show are greatly different from what the gentleman here from the Auto Dealers Association claimed was the message.

We have the NIO start up in China. That currently produces 10,000 vehicles. That's what it did, nothing big. And it was featured in that show. The point that was being made and it's a stark reality here we gotta really consider here, the point that was being made was that they are got about 10,000 sell off that essentially makes the car free for the Chinese citizen and therefore it is the Chinese government's effort to promote greater, faster acceptance of electric vehicles. That's the story.

The second part is the technology invention in the NIO cars. I was impressed with what they were talking about. It's real time monitors that while you're driving it estimates where the charger should be located and where it should be charged and, you know, but that's different of a different society.

If that kind of data is going to go real time into somebody's hands in the government, you have certain other issues that come with it. That's never happened here.

But I'm just saying that those are the kinds of things that they were talking about. So let's think about this. They were afraid of letting NIO and other companies, the small operation in California, they already have a very small operation in California. And the dealers were afraid that they were gonna swamp this market.

Tesla, maybe they can correct me, I believe, shipped 100,000 cars before March 1st to beat the deadline.
They shipped 100,000 cars to China. Now they are building a Gigafactory there and they're gonna be selling in China.

Look what's gonna happen in three years. In three years you're gonna have Tesla doing its innovation and improvement in cars geared up by their sales in China and they're gonna come back here later on and probably some of the technology may or may not see through to the local manufacturers and they'll come back here to compete with our own manufacturers here.

So in three years you're gonna be talking about how we lost the steel industry, how we lost the solar power industry, how we lost the telecom industry and so on. Again now in the context of electric cars and economist driving.

It's about time we really made sure that we did not illogically put impediments and obstacles in the path or our own manufacturers. You gotta encourage them, not stop them from producing more. And benefitting from the technology -- this is American innovation you're stopping. I don't see any sense in this.

So that, in essence, is my two cents of beef. That's it. Thank you. Thank you for the time. Besides, I don't wanna stay here. I see you guys looking at the door. Basically so it's with you on the dinner time so I just wanna get off. So if you have no questions, I'm ready to leave.

[Laughter]
REP. LEMAR (96TH): There is a question for you. Hold on.

REP. MCCARTHY-VAHEY (133RD): You know what? I wasn't here for all the testimony. Thank you for your testimony. You raised an important point which is about data privacy.

MURALI RAMASWAMI: Yes.

REP. MCCARTHY-VAHEY (133RD): And one that we have not, I think -- I think we haven't really had a whole lot of conversation around it and it's one that is intriguing to me as we look at the technology for both Tesla but for some of the vehicles going forward.

And I think it's something we're gonna -- we're going to need to consider as we look at policy in the future.

MURALI RAMASWAMI: I think that's a very important point because one of the reasons could be in Tesla outlawing the dealers to deal with the cars could be that they would have to provide that information. Somebody mentioned about the real time monitoring by Tesla about the status and the state of your car.

That information will not be sitting with the dealers. And imagine the kind of hacking that can happen. And so I guess that's a real problem.

REP. LEMAR (96TH): Thank you very much. Thank you again.

MURALI RAMASWAMI: Thank you.
REP. LEMAR (96TH): Maine Smith? Followed by Mark Sculley. And that will exhaust our public hearing sign-up sheets.

MARK SCULLEY: Representative Lemar, Senator Leone and members of the Transportation Committee. Thank you very much for this opportunity to speak to you this evening. I guess as the last person, I don't expect to say anything you haven't heard yet but I would -- I do feel very appreciative to be able to offer some comment.

This has been a tremendous informative balanced respectful discussion and I -- and I thank you for that. It is truly an honor to see the democratic sausage-making process up close.

I'm here because we need to address climate change. I'm not a scientist but we as humans put our best scientists on the job. The reports we get from them are increasingly dire. The weather we see around us is increasingly dire. We need to act.

I've got three boys, I wanna be able to look them in the eye and say I did everything I could.

A part of that is we need to electrify transportation. We need to electrify heating and cooling and transportation, we need to promote renewables but electrifying vehicles is a huge part of that puzzle. You saw the numbers, we need 155,000 in Connecticut and in all due respect to the dealers, I don't think the traditional manufacturers are going to get us there and would have gotten us there without the nudge from Tesla.
I think they talked a good game today, that they get it now, they've got 44 models on the market. If you really look closely at how many of those are true zero emission vehicles, there -- the numbers are very small. They're not -- and you go to a dealership and they're not prominent as Representative Steinberg said, you don't see them promoting them in the commercials.

So we need to -- we need to allow Tesla to sell their cars in Connecticut because I think they're gonna be a big part of the solution.

I think it's important to not take for granted what Tesla has accomplished. It was pretty much common wisdom forever, for decades, that electric cars -- you couldn't make electric cars profitably. The batteries were too expensive, they were slow, they were funny looking. They didn't go very far and Tesla has changed the way people think about electric cars.

They have produced what is, I think, in the minds of Consumer Report, in the mind of anybody who has driven one, really the best car on the road. It's the safest car on the road, it's the most fun car on the road. And I think if Tesla does what they aim to do, which is produce a $35,000 dollar car -- they haven't quite done it yet, they're very close -- that, I think is one of the greatest industrial accomplishments of our age. And one of the most important.

So I think we need to do everything we can to support Tesla.
I would like to speak briefly to the franchise issue because I think it's been framed -- and again, I'm not saying anything new here but we heard a lot about Tesla's asking for an exception to the rules. That the franchise system is -- is the current way if they wanna play by the rules, that's what they need to do.

And I think fundamentally, the franchise system has been described incorrectly. It was really implemented to protect dealers, like a Ford dealer. They buy cars, they resell them. If Ford started selling cars behind their back direct to customers, that could've undermined the dealers.

So it was never intended to prevent a new manufacturer who never opened dealers. So I really think the dealers are framing this incorrectly and disingenuously and really one analogy I would encourage you to look at is the insurance business. The direct writers were a big threat to the insurance business many years ago. You look at that insurance landscape now and direct writing companies coexist alongside those who work through agents.

And even within the companies you have multiple channels. And I think if we allow this to happen -- we don't need to shut down the franchise dealers but we need to let innovative companies like Tesla sell direct and I think we'll see all kinds of hybrid models come out of that down the road.

So I encourage you to consider that insurance model. And I'd like to just close with a service anecdote and I'm gonna embarrass Alan Woolmer because I didn't mention, we've had a Tesla model S for six
years and my wife recently got a Model 3. She lets me drive it once in a while. And when I -- I have to service my Model S, I go down to Milford and Alan would drive me to the train station and put me on the train so I could go to New York to work.

One day he put me on the train, I'm sitting on the train and there was an announcement that the bridge had fell a couple miles down the road so we're gonna be there a while. So I settled in and got comfortable.

To my chagrin, Alan had heard the train was stuck for a while. He came, he fetched me out of the train, put me in his car and drove me past the blockage. So that's just one anecdote. I've had tremendous service from Tesla.

So I encourage you to do what I sense today is an increased desire to get this thing done, to force these two parties to sit down and I encourage you to do that and I hope that bill 7142 passes. Thank you.

REP. LEMAR (96TH): Thank you, Mark, for your testimony and for sitting here through a lot of this and taking notes, obviously, responding to a lot of things we heard today. I really do appreciate it.

Any questions for Mark?

REP. HAINES (34TH): Right here.

REP. LEMAR (96TH): Oh, Representative Haines.

REP. HAINES (34TH): I just wanted to say to everybody, for all of you who have stuck it out through this entire process, this has been great and
I will tell you that I have a night -- no, I have a 2008 Ford Escape out in the garage. It has 265,000 miles on it and I was gonna get a new Escape but I think I'm gonna go check out the Teslas, so thank you so much, all of you, it was great to hear.

REP. LEMAR (96TH): That exhausts our public hearing sign-up sheet. There are a few individuals who wish to be added on. If you want to come up and identify yourself for the record and provide your testimony.

ROBERT MALOOF: Hi, my name is Robert Maloof.

REP. LEMAR (96TH): Excuse me, would you repeat your name for the record?

ROBERT MALOOF: Sure, my name is Robert Maloof, I'm an engineer at Sikorski. A resident of Milford and an owner of a Chevy Volt and an environmentally concerned citizen.

You know I've -- most of what I wrote yesterday intending to talk about today has already been talked about probably better than I could and in much more depth.

But you know, maybe it's the engineer in me but I'd like to talk a little about just one topic, one maybe perspective on all this that I don't know has been really brought up and so I guess I'd like to talk about terms.

EV adoption, it's -- it's on an s-curve. And it's driven by a number of factors. Battery technology has improved. Prices have come down ten times in ten years. That's huge.
Improving drive trains, production volumes, dropping costs, infrastructure, cultural acceptance and political will. These are all -- they're all accelerating at this -- at this juncture in time.

This isn't -- this isn't 2010 and this isn't 2015 where these -- the curve, the S-curve is still on the slow end; 2018, 2019, we're hitting, we're accelerating as far as the rate of change, the rate of innovation and the rate of growth.

And I think, you know, it's not something that I think the Tesla reps really conveyed but I think that -- I've been following the company very closely for years, for a number of years. I don't think that Tesla is able to work with dealers because of their rates of change. Their rate of growth.

This is a company -- they're building massive two-ton machines. They're innovating every year, their cars. They get more advanced, they change and now they're coming out with new models and making 200 percent, 300 percent growth year over year. Even if it's 50 percent growth, these are factories, these are two-ton cars, these are a rate of growth that I think they can't rely on institutions -- static institutions like dealerships to keep up with.

You know, they had their production hell last year, pardon my language and then -- and then they ran into logistics issues, I'll say. And they -- they bought their own trucking company, they went, you know, they went crazy trying to ramp up logistics to keep up with the production numbers.

And I -- I think when you're talking about a company that's innovating and driving change on a global
level, doing things we've never seen done before, for Connecticut to come and say, you know, "You can't work here unless you fit into our mold. We have a mold for you, this is what works for us and we think, you know, for you to work here, you're gonna have to fit into this." It's simply -- it's not possible. Whether they want to or not, it's not an option for them.

And I think that's probably gonna be a challenge for -- for any negotiations but it's just something to keep in mind. It's something I wanted to bring up because the truth is we're just like with climate change, in the next five, ten years, we're hitting this -- this S-curve of EV growth and it's really an important perspective to keep in mind that, you know, 2015 is not 2019; 2019 isn't 2023. Change is happening that fast.

So thank you for the committee for giving me the chance to speak.

REP. LEMAR (96TH): Thank you, Robert, very much and thanks for hanging around with us. Are there questions for Robert? Seeing none, Robert, if you wouldn't mind for our record keeping purposes, you could visit the clerk and just spell your name for him so we have it attached to your testimony, that would be terrific.

ROBERT MALOOF: Will do.

REP. LEMAR (96TH): Thank you. So join us. Joe, we have you name so you don't need to go spell it for --
JOE SCULLEY: I've already bugged Phil a bunch of times, so -- Chairman Lemar, Chairman Leone, ranking member Devlin, committee members, thank you for the opportunity here on something other than Tesla.

A couple things, raised bill 866 and House Bill 5365. I'll start with the 866 concerning the nonconsensual towing of motor vehicles.

We feel that an attempt to statutorily put in a $10 dollar surcharge is circumventing the process that we already have in place whereby DMV sets the rates that towers are allowed to charge for nonconsensual tows.

We consider this a consumer protection issue not only for individual passenger car owners but also commercial vehicle owners. A lot of times in the instances of nonconsensual tows, the -- whether it's for the -- the two or the storage, you could end up with tens of thousands of dollars on a bill just for that -- for that action. I would point out that is why you sometimes have abandoned vehicles, people just decide it cheaper to go buy a new vehicle.

I'll move over to 5365, AN ACT CONCERNING THE USE OF GLOBAL POSITIONING SYSTEMS BY CERTAIN COMMERCIAL MOTOR VEHICLES. In the concept bill I saw that this had a 10,000 pound weight limit on it.

Let me step back for one second, I understand the purpose of that is because in certain municipalities, trucks are going through no-through-truck zones. I don't necessarily dispute that but I've met with state and local leaders on this issue. I've said that we don't condone that and urge them to take appropriate action.
Well, the town leaders have said, "We can't do anything about it." I said, "Set an officer there and wait for it if it's such a big problem." They said, "We can't do that."

So I guess my point is, if we're not gonna enforce what we currently have, why do we need a new -- a new law mandating GPS use on trucks. A lot of these are out-of-state trucks, you can't -- this state can't issue an equipment mandate for out-of-state trucks so there's half your population that's not gonna be covered.

Are garbage trucks gonna have to put in the address of every house that they stop at? Dump trucks when they go back and forth to the same place multiple times a day? It's just impractical. Even if -- even if it's passed, right, and we see a truck drive through a no-through-truck zone. What's gonna happen? Same thing as today which is nothing, right?

You report it and, "Hey, a truck just violated the GPS mandate and I know that because he drove through a no-through-truck zone." But they don't do anything about that now. Why would they do -- why would they do anything about it then?

So it's -- I understand the intent behind it but it's impractical, it's a cost on small businesses and we should enforce what we have before looking at anything like this.

So thank you for this opportunity.
REP. LEMAR (96TH): Thank you, Joe, for sticking it out and following a long tradition of Mr. Alley and put yourself dead last.

JOE SCULLEY: Learned from the best.

REP. LEMAR (96TH): We actually appreciate it. So yeah, are there any questions or other of the bills to testify on? No.

Thank you very much. We do look forward to working with you on both those bills and --

JOE SCULLEY: Thank you, sir.

REP. LEMAR (96TH): -- ensuring that your concerns are heard. Thank you.

Alicia, you have anything you wanna add? No? Well, that concludes our public hearing for today. I guess that's what happens when you put two of your most controversial bills in the session on the same agenda.

Thank you all very much for sticking it out.

[Gavel]